CITY OF HAMILTON

BY-LAW NO. 08-073

Respecting:

Removal of Part Lot Control
Blocks 138-148, inclusive and Blocks 152-162, inclusive
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:

   five (5) lots for townhouse dwellings, shown as Parts 1 to 13, inclusive, including eight (8) parts for maintenance easements, shown as Parts 2, 3, 5, 6, 8, 9, 11, and 12, on deposited Reference Plan 62R-18146;

   four (4) lots for townhouse dwellings, shown as Parts 1 to 9, inclusive, including five (5) parts for maintenance easements, shown as Parts 2, 4, 5, 6, and 9, on deposited Reference Plan 62R-18147;

   four (4) lots for townhouse dwellings, shown as Parts 1 to 9, inclusive, including five (5) parts for maintenance easements, shown as Parts 2, 3, 4, 8, and 9, on deposited Reference Plan 62R-18148; and,

   eight (8) lots for townhouse dwellings, shown as Parts 1 to 20, inclusive, including twelve (12) parts for maintenance easements, shown as Parts 2, 3, 7, 8, 10-12, inclusive, 14, 16, 17, 19, and 20, on deposited Reference Plan 62R-18149;
four (4) lots for townhouse dwellings, shown as Parts 1 to 6, inclusive, including two (2) parts for maintenance easements, shown as Parts 3, and 4, on deposited Reference Plan 62R-18150;

four (4) lots for townhouse dwellings, shown as Parts 1 to 8, inclusive, including four (4) parts for maintenance easements, shown as Parts 4, 5, 7, and 8, on deposited Reference Plan 62R-18151;

five (5) lots for townhouse dwellings, shown as Parts 1 to 11, inclusive, including six (6) parts for maintenance easements, shown as Parts 4, 5, 7, 8, 10, and 11, on deposited Reference Plan 62R-18152;

five (5) lots for townhouse dwellings, shown as Parts 1 to 11, inclusive, including six (6) parts for maintenance easements, shown as Parts 2, 3, 5, 6, 8, and 9, on deposited Reference Plan 62R-18153;

four (4) lots for townhouse dwellings, shown as Parts 1 to 8, inclusive, including four (4) parts for maintenance easements, shown as Parts 2, and 4-6, inclusive, on deposited Reference Plan 62R-18154;

four (4) lots for townhouse dwellings, shown as Parts 1 to 8, inclusive, including four (4) parts for maintenance easements, shown as Parts 4, 5, 7, and 8, on deposited Reference Plan 62R-18155;

five (5) lots for townhouse dwellings, shown as Parts 1 to 11, inclusive, including six (6) parts for maintenance easements, shown as Parts 4, 5, 7, 8, 10, and 11, on deposited Reference Plan 62R-18156; and,

six (6) lots for townhouse dwellings, shown as Parts 1 to 13, inclusive, including seven (7) parts for maintenance easements, shown as Parts 4, 5, 7, 8, 10, 11, and 13, on deposited Reference Plan 62R-18157;

five (5) lots for townhouse dwellings, shown as Parts 1 to 12, inclusive, including seven (7) parts for maintenance easements, shown as Parts 2, 5, 6, 8, 9, 11, and 12, on deposited Reference Plan 62R-18158;

six (6) lots for townhouse dwellings, shown as Parts 1 to 14, inclusive, including eight (8) parts for maintenance easements, shown as Parts 3, 4, 6, 7, 9, 10, 12, and 13, on deposited Reference Plan 62R-18159;

six (6) lots for townhouse dwellings, shown as Parts 1 to 9, inclusive, including three (3) parts for maintenance easements, shown as Parts 2, 6, and 9, on deposited Reference Plan 62R-18160;

six (6) lots for townhouse dwellings, shown as Parts 1 to 13, inclusive, including seven (7) parts for maintenance easements, shown as Parts 3, 4, 6, 8, 10, 11, and 13, on deposited Reference Plan 62R-18161;
Removal of Part Lot Control Blocks 138-148, inclusive and Blocks 152-162, inclusive
Registered Plan No. 62M-1101, Upcountry Estates

six (6) lots for townhouse dwellings, shown as Parts 1 to 8, inclusive, including two (2) parts for maintenance easements, shown as Parts 3, and 6, on deposited Reference Plan 62R-18162;
six (6) lots for townhouse dwellings, shown as Parts 1 to 10, inclusive, including four (4) parts for maintenance easements, shown as Parts 4, 5, 7, and 8, on deposited Reference Plan 62R-18163;
six (6) lots for townhouse dwellings, shown as Parts 1 to 7, inclusive, including one (1) part for maintenance easements, shown as Part 5, on deposited Reference Plan 62R-18164;
six (6) lots for townhouse dwellings, shown as Parts 1 to 8, inclusive, including two (2) parts for maintenance easements, shown as Parts 4, and 5, on deposited Reference Plan 62R-18165;
six (6) lots for townhouse dwellings, shown as Parts 1 to 7, inclusive, including one (1) part for maintenance easements, shown as Part 6, on deposited Reference Plan 62R-18166; and,
six (6) lots for townhouse dwellings, shown as Parts 1 to 9, inclusive, including three (3) parts for maintenance easements, shown as Parts 3, 5, and 6, on deposited Reference Plan 62R-18167,

shall not apply to the portions of the registered plan of subdivision that are designated as follows, namely:
Blocks 138-148, inclusive, and 152-162, inclusive, 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 9th day of April, 2010.

PASSED and ENACTED this 9th day of April, 2008.

Brad Clark
Acting Mayor

Kevin C. Christenson
City Clerk