

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

Bill No.133

CITY OF HAMILTON

BY-LAW NO. 08-133

Respecting:

Removal of Part Lot Control
Block 1, Registered Plan No. 62M-1103
Gardens at Summit Park

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 one hundred and seventy five (175) lots for street townhouse dwellings, shown as Parts 1-175 and 191-365, inclusive, including utility, servicing and maintenance easements, shown as Parts 191-365, inclusive; a common element access road, utility, servicing and maintenance easement, shown as Parts 176-190 inclusive; and a vehicular access, pedestrian, utility, servicing and maintenance easement over Parts 176-190 inclusive, in favour of the lands to the west (PIN 17385-1013) on deposited Reference Plan 62R-18194, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

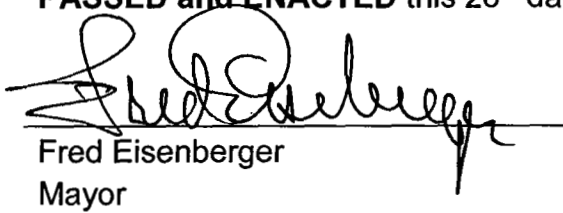
Block 1, Registered Plan No. 62M-1103, in the City of Hamilton (Glanbrook)

2. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of future development with the lands to the west, shown as Part 366, on deposited Reference Plan 62R-18194, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 1, Registered Plan No. 62M-1103, in the City of Hamilton (Glanbrook)

3. 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.
4. This by-law shall expire and cease to be of any force or effect on the 28th day of May, 2010.

PASSED and ENACTED this 28th day of May, 2008.



Fred Eisenberger
Mayor



Rose Caterini
Acting City Clerk

PLC-07-041