

City of Hamilton

BY-LAW NO. 08-232

Respecting:

**Removal of Part Lot Control
Block 111**

"Avalon Phase 3" — Registered Plan 62M-1040

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;

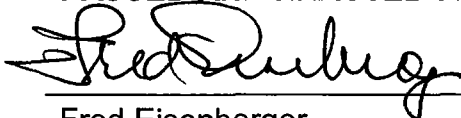
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating four (4) lots described as Parts 1 – 7, inclusive, including three (3) maintenance easements, described as Parts 2, 4 and 6, on deposited reference plan 62R-18136, shall not apply to the portion of the registered plan of subdivision that is designated as follows:

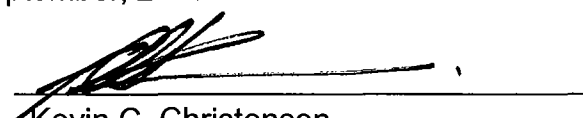
Parts 1-7 of Registered Plan Number 62M-1076, in the City of Hamilton.

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 24th day of September, 2010.

PASSED AND ENACTED this 24th day of September, 2008.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk