CITY OF HAMILTON

BY-LAW NO. 09-016

Respecting:
Removal of Part Lot Control
Block 1, Registered Plan No. 62M-1081, “Flamborough Power Centre – Phase 3”

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 purposes of creating a parcel of land containing existing parking and access driveways does not apply to that part of Block 1, Registered Plan No. 62M-1081, described as Part 3 on Deposited Reference Plan 62R-18382.

2. Sub-section 5 of Section 50 of the Planning Act, for the purpose of establishing long term leases, rights-of-way and any required servicing easements over Parts 1 through 3 on Deposited Reference Plan 62R-18382 in favour of Parts 1 through 3 on deposited Reference Plan 62R-18382, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

   Block 1, Registered Plan No. 62M-1081, in the City of Hamilton (Flamborough)

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 January, 2011.

PASSED and ENACTED this 28th day of January, 2009.