

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

**Bill No. 310**

**CITY OF HAMILTON**

**BY-LAW NO. 10-310**

Respecting:

Removal of Part Lot Control  
Lots 26, 27, 28, and 35 - 41 of Plan No. 62M-1131, "Rosehaven Homes"

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:

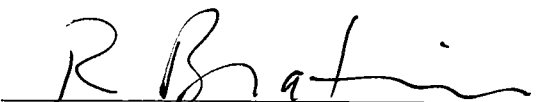
"(7) Designation of lands not subject to part lot control. -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

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 eleven (11) maintenance easements shown as Parts 1-11 inclusive, on deposited Reference Plan 62R-18906, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:  
  
Lots 26, 27, 28, and 35 to 41, Registered Plan No. 62M-1131, 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 15<sup>th</sup> day of December, 2012.

**PASSED** this 15<sup>th</sup> day of December, 2010.



R. Bratina  
Mayor



R. Caterini  
City Clerk