

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

**Bill No. 312**

**CITY OF HAMILTON**

**BY-LAW NO. 10-312**

Respecting:

Removal of Part Lot Control  
38, 46, 50, 54, 58, 62, 66, 74, 78 & 82 Assisi Street, Hamilton  
Sandrina Gardens Phase 6  
Lots 2, 4-9, and 11-13 Registered Plan No. 62M-1028

**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.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting an amendment to By-law No. 09-003 in order to extend the time period for the expiration of By-law No. 09-003;

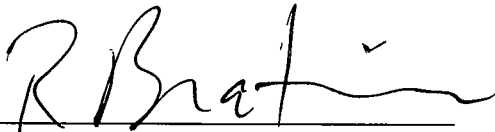
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating ten (10) maintenance easements for single detached dwellings shown as Parts 3, 5-10 and 12-14 on deposited Reference Plan 62R-17010, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:


Lots 2, 4-9, and 11-13, inclusive, Registered Plan No. 62M-1028, 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 time period, during which the By-law remains in force, shall expire on the following specified date, being 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

PLC(E)-10-040