

**CITY OF HAMILTON**

**BY-LAW NO. 13-043**

**Respecting:**

**Removal of Part Lot Control**

**Lot 30, Plan 62M-1172, and Lot 1, Lots 62-77 and Blocks 108-111, Plan 62M-1182, 259, 263, 267, 271, 275 and 279 Penny Lane, and 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93, 97, 101, 105, 109 and 113 Trafalgar Drive**

**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.”

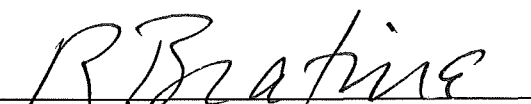
**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;


**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 22 maintenance and access easements, shown as Parts 1 to 16 and Parts 75-80, inclusive, on the deposited Reference Plan 62R-19454, shall not apply to the portions of the registered plans of subdivision that are designated as follows, namely:  

Lot 30, Plan 62M-1172, and Lot 1, Lots 62-77 and Blocks 108-111, Plan 62M-1182, formerly in the City of Stoney Creek, now 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 13<sup>th</sup> day of February, 2015.

**PASSED** this 13<sup>th</sup> day of February, 2013.

  
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R. Bratina  
Mayor

  
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R. Caterini  
City Clerk