

CITY OF HAMILTON

BY-LAW NO. 13-044

Respecting:

**Removal of Part Lot Control
Lots 80-105, Plan 62M-1182,
21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 63, 65, 67, 69, 71, 73, 75 and 77
Waterbridge Street, and 107, 111, 115, 119 and 123 Penny Lane**

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 32 maintenance, access and encroachment easements, shown as Parts 1 to 32, inclusive, on deposited Reference Plan 62R-19453, and for the purpose of creating 5 maintenance and access easements, shown as Parts 33 to 37, inclusive, on deposited Reference Plan 62R-19453, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

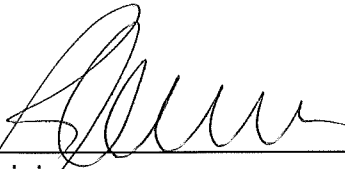
Lots 80 to 105, Plan 62M-1182, formerly in the City of Stoney Creek, now in the City of Hamilton.

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 13th day of February, 2015.

PASSED this 13th day of February, 2013.



R. Bratina
Mayor



R. Caterini
City Clerk