

**CITY OF HAMILTON**

**BY-LAW NO. 13-038**

**Respecting:**

**Removal of Part Lot Control  
Lots 1-11, and 13-36, Registered Plan No. 62M-1177  
“Chartwell Circle”**

**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 thirty-five (35) encroachment/maintenance easements for single detached dwellings, shown as Parts 1-35, inclusive, on deposited Reference Plan 62R-19344, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 1-11 and 13-36, Registered Plan No. 62M-1177, 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 23<sup>rd</sup> day of January, 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