

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

**Bill No. 090**

## **CITY OF HAMILTON**

### **BY-LAW NO. 16-**

#### **Respecting Removal of Part Lot Control Block 309 of Registered Plan No. 62M-1158, and Block 175 of Registered Plan No. 62M-1159**

**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) lots for freehold townhouses on a condominium road, shown as Parts 1-18 inclusive, Parts 20-27 inclusive, Parts 29-57 inclusive, Parts 59-89 inclusive, and Parts 91-97 inclusive, and four (4) Parts for Common Element Areas (Parts 19, 28, 58, and 90), on deposited Reference Plan 62R-20250, including:
  - 31 easements for rear yard access in favour of abutting properties (Parts 1, 2, 6, 7, 14, 15, 17, 34, 35, 36, 37, 38, 39, 46, 47, 50, 55, 57, 60, 62, 63, 70, 72, 74, 75, 76, 79, 85, 86, 96, and 97); and,
  - 35 easements for overland flow in favour of the Condominium Corporation (Parts 1, 2, 6, 7, 10, 11, 14, 15, 17, 38, 39, 42, 43, 46, 47, 50, 51, 54, 55, 57, 58, 60, 62, 63, 66, 67, 70, 72, 74, 77, 79, 81, 82, 85, and 86); and,
  - 8 easements for sewer maintenance and repair in favour of the Condominium Corporation (Parts 2, 3, 36, 37, 57, 75, 76, and 77); and,
  - 5 easements for maintenance and encroachment in favour of abutting properties (Parts 91, 92, 93, 94 and 95); and,
  - 3 easements for maintenance in favour of the Condominium Corporation (Parts 4, 18 and 21); and,

Removal of Part Lot Control  
Block 309 of Registered Plan No. 62M-1158,  
and Block 175 of Registered Plan No. 62M-1159

(Page 2 of 2)

- 1 easement for water service maintenance and repair in favour of the condominium corporation (Part 88); and,  
Block 309 of Registered Plan No. 62M-1158 and Block 175 of Registered Plan No. 62M-1159, 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 30<sup>th</sup> day of March, 2018.

**PASSED** this 30<sup>th</sup> day of March, 2016.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

PLC-16-005