

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 022

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control

Blocks 116, 117 (closed by By-law No. 18-023), and 118 and Part of Block 119 and all of Moonlight Court (closed by By-law No. 18-002) on Registered Plan No. 62M-1172 and Blocks 33, 34, 35, 37, and 41 and part of Blocks 36, 39 and 40 and all of Bowridge Court (closed by By-law No. 18.003) on Registered Plan No. 62M-1208, Municipally known as 64, 68, 88, 92, 94 and 96 Bellroyal Crescent, Stoney Creek

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 10 maintenance easements for access and encroachment in favour of the adjacent Parcel of tied land, shown as Parts 14, 16, 20, 22, 24, 26, 29, 32, 35 and 37 inclusive, on deposited Reference Plan 62R-20983, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:
 - i. All of Blocks 116, 117 (closed by by-law no. 18-023) and 118 and Part of Block 119 and all of Moonlight Court (closed by by-law no.18-002) on Registered Plan No. 62M-1172, in the City of Hamilton; and,
 - ii. Blocks 33, 34, 35, 37 and 41 and Part of Blocks 36, 39 and 40 and Bowridge Court (closed by By-law No. 18-003), Registered Plan Number 62M-1208, in the City of Hamilton.

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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, 2021.

PASSED this 13th day of February, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-19-002