

Authority: Item 12, Committee of the Whole Report 01-033 (PD01184)
Council Meeting: October 16, 2001 Ward: 7
Written approval for this by-law was given by Mayoral Decision MDE-2023-03 dated September 27, 2023

Bill No. 180

CITY OF HAMILTON

BY-LAW NO. 23-

Respecting:

Removal of Part Lot Control

Blocks 1-7, Registered Plan of Subdivision No. 62M-1288, “Linden Park” Municipally Known as 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, and 419 East 16th Street; 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, and 34 Vickers Road; 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26 Jellicoe Court; and, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 Linden Park Lane, Hamilton, Ward 7

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. Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating 83 lots for street townhouses dwellings (Parts 1 to 83 inclusive) and Part 84 for the Common Element Condominium Corporation for a private roadway, visitors parking, and landscaped area, all as shown on Deposited Reference Plan 62R-22170, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 1 to 7 (inclusive), Registered Plan of Subdivision No. 62M-1288, in the City of Hamilton.

Respecting Removal of Part Lot Control

Blocks 1-7, Registered Plan of Subdivision No. 62M-1288, "Linden Park" Municipally Known as 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, and 419 East 16th Street; 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, and 34 Vickers Road; 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26 Jellicoe Court; and, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 Linden Park Lane, Hamilton, Ward 7

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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 27th day of September, 2025.

PASSED this 27th day of September, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

PLC-23-005