

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

Bill No. 004

City of Hamilton

BY-LAW NO. 09-004

Respecting:

Removal of Part Lot Control
Lots 53, 57, 58 and 61, Registered Plan No. 62M-1028,
"Sandrina Gardens, Phase 6"

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec. 50 (7)) states, in part, 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.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required."

AND WHEREAS the Council of the City of Hamilton is desirous of enacting an amendment to By-law No. 07-029 in order to extend the time period of the expiration of By-law No. 07-029;

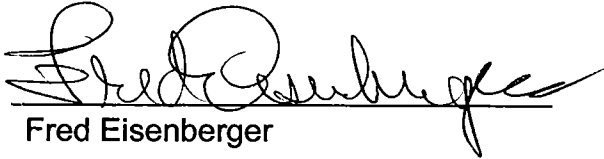
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements and rights-of-encroachment, shown as Parts 51, 55, 56 and 59, on deposited Reference Plan 62R-17010, shall not apply to the portion of the registered plan of subdivision that is designated as follows:

Lots 53, 57, 58 and 61, Registered Plan No. 62M-1028 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. The time period, during which the By-law remains in force, shall expire on the following specified date: January 12, 2011.

PASSED this 12th day of January, 2009.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

PLC(E)-08-033