

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

Bill No. 268

CITY OF HAMILTON

BY-LAW NO. 10-268

Respecting:

Removal of Part Lot Control
257 Carla Avenue, Stoney Creek
Lots 2, 3, 10 and 11 Registered Plan No. 62M-1115

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.

(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. 08-271 in order to extend the time period for the expiration of By-law No. 08-271;

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

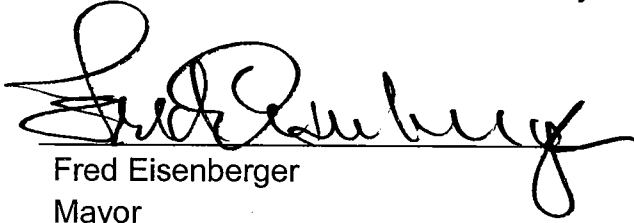
1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating eight (8) lots for semi-detached dwellings shown as Parts 1-14 and 37-49, inclusive, including utility, servicing and maintenance easements, shown as Parts 1, 3, 5-9, 11, 13-14, 26, 33-35, 37, 39, 41-42, 44-46 and 48-51; and Parts 27, 36 and 52, in favour of the condominium corporation; and Parts 55-60, in favour of the abutting property to the

north; on deposited Reference Plan 62R-18317, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 2, 3, 10 and 11 Registered Plan No. 62M-1115, in the City of Hamilton (Stoney Creek)

3. 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.
4. This time period, during which the By-law remains in force, shall expire on the following specified date, being the 13th day of October, 2012.

PASSED and ENACTED this 13th day of October, 2010.



Fred Eisenberger
Mayor



Rose Caterini
City Clerk

PLC(E)-10-031