

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

**Bill No. 269**

**CITY OF HAMILTON**

**BY-LAW NO. 10-269**

Respecting:

Removal of Part Lot Control  
Fairgrounds Phase 1  
Blocks 110 and 111, Registered Plan No. 62M-1128

**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;

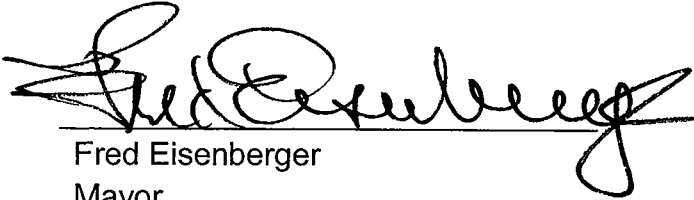
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating thirty-eight (38) lots for townhouse dwellings shown as Parts 1 to 39, 41 to 77, and 79 to 96, inclusive, including maintenance easements for the townhouse dwelling units, shown as Parts 79 to 96, inclusive, and utility/servicing easements in favour of a condominium and all utility entities, shown as Part 39 and Parts 41 to 77, inclusive, and an easement in favour of the condominium for signage on Part 39; for the purpose of creating a future development block, shown as Parts 78, 97 and 98, inclusive, including deleting the common lot line between Parts 78 and 97, and including an existing maintenance easement, shown as Part 98; and for the purpose of creating a block for a Common Elements Condominium containing a road, visitor parking, fencing and landscaped areas, shown as Part 40, including a utility/servicing easement in favour of all utility entities on Part 40, on deposited Reference Plan 62R-18865, shall not apply to the portions of the registered plan of subdivision that is designated as follows, namely:


Blocks 110 and 111, Registered Plan No. 62M-1128, 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 13<sup>th</sup> day of October, 2012.

**PASSED** this 13<sup>th</sup> day of October, 2010.



Fred Eisenberger  
Mayor



Rose Caterini  
City Clerk

PLC-10-020