

**CITY OF HAMILTON**

**BY-LAW NO. 10-270**

Respecting:

Removal of Part Lot Control  
Dewitt Orchard  
Block 2, Registered Plan No. 62M-1139

**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;

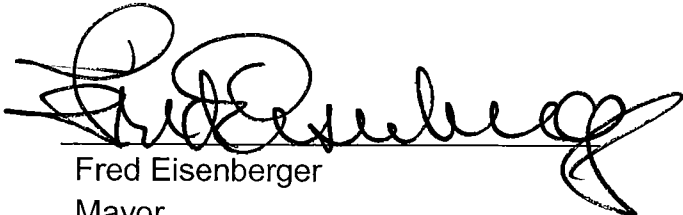
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating ten (10) lots for townhouse dwellings shown as Parts 1 to 31, inclusive, including maintenance easements, shown as Parts 12 to 17, inclusive, and servicing/utility easements, shown as Parts 18 to 31, inclusive, and an existing easement in favour of the City of Hamilton for overland storm drainage purposes, shown as Part 11, on deposited Reference Plan 62R-18859, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 2, Registered Plan No. 62M-1139, 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