

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 18, 2001

**Bill No. 240**

**CITY OF HAMILTON**

**BY-LAW NO. 12-240**

Respecting:

Removal of Part Lot Control  
Block 65, Registered Plan No. 62M-1141, "Mountain Garden",  
70 Highgate Drive (Stoney Creek) (Ward 11)

**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 46 townhouse dwelling units, shown as Parts 1 to 82, inclusive, with associated access, maintenance and servicing easements, shown as Parts 47 to 82, inclusive, on deposited Reference Plan 62R-19394, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

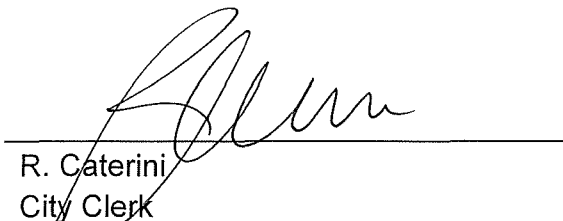
Block 65, Registered Plan No. 62M-1141, in the City of Stoney Creek

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 24th day of October, 2014.

**PASSED** this 30<sup>th</sup> day of October, 2012.



R. Bratina  
Mayor



R. Caterini  
City Clerk