

**Authority:** Item 12, Committee of the Whole Report 01-033 (PD01184)  
Council Meeting: October 16, 2001 Ward: 7  
Written approval for this by-law was given by Mayoral Decision MDE-2023-03 dated  
September 27, 2023

**Bill No. 180**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-180**

**Respecting:**

#### **Removal of Part Lot Control**

**Blocks 1-7, Registered Plan of Subdivision No. 62M-1288, "Linden Park" Municipally Known as 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, and 419 East 16th Street; 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, and 34 Vickers Road; 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26 Jellicoe Court; and, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 Linden Park Lane, Hamilton, Ward 7**

**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. Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating 83 lots for street townhouses dwellings (Parts 1 to 83 inclusive) and Part 84 for the Common Element Condominium Corporation for a private roadway, visitors parking, and landscaped area, all as shown on Deposited Reference Plan 62R-22170, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 1 to 7 (inclusive), Registered Plan of Subdivision No. 62M-1288, in the City of Hamilton.

Respecting Removal of Part Lot Control

Blocks 1-7, Registered Plan of Subdivision No. 62M-1288, "Linden Park" Municipally Known as 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, and 419 East 16th Street; 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, and 34 Vickers Road; 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26 Jellicoe Court; and, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 Linden Park Lane, Hamilton, Ward 7

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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 27<sup>th</sup> day of September, 2025.

**PASSED** this 27<sup>th</sup> day of September, 2023.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

PLC-23-005