

**EXEMPTION FROM PART LOT CONTROL BY-LAW
THE CORPORATION OF THE TOWN OF HAWKESBURY
(311, 313, 321 and 323, rue Nelson Street East)**

BY-LAW NO. 48-2022

Being a by-law to provide that subsection (5) of section 50 of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, does not apply to lot 3 and 4, Registered Plan 46M-98, in the Town of Hawkesbury, in the County of Prescott, designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 in Reference Plan 46R-81333, and municipally known as 311, 313, 321 and 323, Nelson Street East.

WHEREAS Subsection (5) of Section 50 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, provides that all lands within a Plan of Subdivision are subject to part-lot control;

WHEREAS Subsection (7) of Section 50 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, authorizes the Council of a local municipality to enact by-laws which provide that Subsection (5) of Section 50 of the *Planning Act* does not apply to land that are within a registered Plan of Subdivision as are designated in the by-law;

WHEREAS a semi-detached dwelling was constructed in 2010 on Parts 1 and 2 of Plan 46R-8133, which is municipally known as 311, rue Nelson Street East;

WHEREAS a semi-detached dwelling was constructed in 2010 on Parts 3 and 4 of Plan 46R-8133, which is municipally known as 313, rue Nelson Street East;

WHEREAS a semi-detached dwelling was constructed in 2010 on Parts 5 and 6 of Plan 46R-8133, which is municipally known as 321, rue Nelson Street East;

WHEREAS a semi-detached dwelling was constructed in 2010 on Parts 7 and 8 of Plan 46R-8133, which is municipally known as 323, rue Nelson Street East;

AND WHEREAS Subsection (7.1) of Section 50 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, provides that a by-law passed under Subsection (7) of Section 50 of the *Planning Act*, does not take effect until it has been approved by the appropriate approval authority, being the United Counties of Prescott and Russell;

NOW THEREFORE the Council of The Corporation of the Town of Hawkesbury enacts as follows:

1. **THAT** subject to paragraph 3 herein, Sub-Section 5 of Section 50 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, does not apply to the following lands:
 - a) Part of Lot 3, Registered Plan 46M-98, designated as Parts 1 and 2 on Plan 46R-8133 and further designated as Parcel 'A' for the purpose of this by-law;
 - b) Part of Lot 3, Registered Plan 46M-98, designated as Parts 3 and 4 on Plan 46R-8133 and further designated as Parcel 'B' for the purpose of this by-law;
 - c) Part of Lot 4, Registered Plan 46M-98, designated as Parts 5 and 6 on Plan 46R-8133 and further designated as Parcel 'C' for the purpose of this by-law;
 - d) Part of Lot 4, Registered Plan 46M-98, designated as Parts 7 and 8 on Plan 46R-8133 and further designated as Parcel 'D' for the purpose of this by-law;all in the Town of Hawkesbury, in the County of Prescott and registered in the Land Titles Office for the Land Titles Division of Prescott (No. 46).
2. **THAT** this By-law shall come into force and take effect upon approval thereof by the United Counties of Prescott and Russell and in compliance with the requirements of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended.
3. **THAT** this by-law shall be effective only to the extent necessary to permit:
 - (a) the creation of the aforementioned Parcels 'A', 'B', 'C' and 'D' to permit such parcels to be charged and/or discharged;

- (b) individual dwelling units, together with appurtenant rights and easements in land associated therewith, to be conveyed to each initial purchaser thereof, and to be charged and discharged;
- (c) any easements, including rights-of-way, if any, as contained in the transfers to each initial purchaser of each individual dwelling unit;

and this by-law shall not be construed as to permit the further severance or re-subdivision of the aforementioned Parcels 'A', 'B', 'C' and 'D' beyond that permitted by paragraph 1.

- 4. **THAT** registration of this By-law in the Land Registry Office for the Land Titles Division of Prescott (No. 46) is authorized and this By-law shall thereupon become effective.

READ a first, second and third time and duly enacted this 12th day of September 2022.

Paula Assaly, Mayor

Myrian Longtin, Clerk

Pursuant to the United Counties of Prescott and Russell By-Law 2020-16, this by-law, having met the criteria for Part Lot Control exemption, is hereby APPROVED under Section 50(7) of the Planning Act, R.S.O. 1990, as amended.

, United Counties of Prescott and Russell