

THE CORPORATION OF THE TOWN OF
BURLINGTON

BY-LAW NUMBER 1945

A By-law to designate an area of
subdivision control.

WHEREAS it is considered desirable, in order to control adequately the development of certain areas within the Town of Burlington, that land, before it is conveyed, shall be included in a registered plan of subdivision;

AND WHEREAS section 26 of The Planning Act, 1960, provides as follows:

26. - (1) The council of a municipality may by by-law designate any area within the municipality as an area of subdivision control, and thereafter no person shall convey land in the area by way of a deed or transfer on any sale, or enter into an agreement of sale and purchase of land in the area, or enter into any agreement that has the effect of granting the use of or right in land in the area directly or by entitlement to renewal for a period of twenty-one years or more, unless the land is described in accordance with and is within a registered plan of subdivision, and the council may, in the by-law, designate a registered plan of subdivision or part thereof which shall be deemed not to be a registered plan of subdivision for the purposes of this subsection.

(2) The by-law may provide that where land is,

- (a) within a registered plan of subdivision; or
- (b) within a registered plan of subdivision, or a part thereof, designated in the by-law,

no person shall convey a part of any lot or block of the land by way of a deed or transfer on any sale, or enter into an agreement of sale and purchase of a part of any lot or block of the land, or enter into any agreement that has the effect of granting the use of or right in a part of any lot or block of the land directly or by entitlement to renewal for a period of twenty-one years or more; and when the by-law contains any such provision, no person shall contravene the provision.

(3) Nothing in subsection 1 or 2 prohibits any conveyance or agreement respecting land,

- (a) if the land is ten acres or more in area and the remnant, if any, remaining in the grantor is also ten acres or more; or
- (b) if the land is the whole part remaining to the grantor of one parcel described in a registered conveyance to him; or
- (c) if the consent,
 - (i) of the planning board of the planning area in which the land lies, or
 - (ii) where the land lies in more than one planning area, of the planning board designated by the Minister from time to time, or
 - (iii) where there is no planning board, of the Minister,

is given to the conveyance or agreement.

(4) Two certified copies of the by-law shall be lodged in the office of the Minister where they shall be available for public inspection during office hours, and the by-law shall be registered in the proper registry office where it shall be made available to the public as a production.

(5) Where a registered plan of subdivision or a part thereof is deemed under the by-law not to be a registered plan of subdivision, the clerk of the municipality shall, within ten days after the by-law is passed, send notice of the passing of the by-law by mail to the last known address of each person appearing by the last revised assessment roll to be the owner of land within the plan of subdivision or part.

(6) Where the by-law contains provisions authorized by subsection 2, the clerk of the municipality shall, within ten days after the by-law is passed, send notice of the passing of the by-law by mail to the last known address of each person appearing by the last revised assessment roll to be the owner of land within any registered plan of subdivision, or within any part of a registered plan of subdivision, to which such provisions apply.

(7) When an area is designated as an area of subdivision control, it shall not be altered or dissolved without the approval of the Minister.

(8) Every person who contravenes this section is guilty of an offence and on summary conviction is liable to a penalty of not more than \$500;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. The following described area set out in Schedule "A" hereto is hereby designated as an area of subdivision control to be known as Area of Subdivision Control Number 1, in accordance with section 26 of The Planning Act, 1960:

SCHEDULE A

1. Lands formerly in the Township of East Flamborough, now in the Town of Burlington.

(a) East Flamborough Township lots.

All of Lots 1 to 13, all inclusive, Concession B.F.

All of Lots 1 to 13, all inclusive, Concession 1.

Part of Lots 1 to 13, all inclusive Concession 2 being that portion of lots lying south of a line hereinafter described:

COMMENCING at a point in the brow or top of a precipitous rock cliff known as part of the Niagara Escarpment where it is intersected by the limit between the Township of East Flamborough in the County of Wentworth and the Township of Nelson in the County of Halton, the said point being distant 30 feet measured South easterly along the last mentioned limit from the North east corner of Lot 1, Concession II, East Flamboro;

THENCE South westerly along the said top of cliff through the following courses and distances:

S 11° 05' W - 95' 7 1/2"	S 50° 05' W - 161' 0"
S 10° 44' E - 179' 10 1/2"	S 32° 06' W - 217' 9"
S 01° 26' W - 296' 8 1/2"	S 49° 08' W - 203' 7 1/4"
S 12° 02' E - 319' 3 1/4"	S 43° 51' W - 375' 2"
S 08° 18' W - 157' 6"	S 39° 13' W - 176' 4 1/4"
S 22° 19' W - 336' 5"	S 21° 59' W - 219' 1 1/2"
S 14° 12' W - 466' 4 1/2"	S 37° 52' W - 207' 5 1/4"
S 12° 34' W - 192' 0"	S 42° 55' W = 225' 10"
S 32° 37' W - 191' 7 1/2"	S 38° 26' W - 385' 11"
S 45° 04' W - 73' 0 1/2"	S 56° 17' W - 322' 4 1/2"
S 50° 42' W - 157' 9"	S 48° 28' W - 241' 1 1/4"
S 44° 38' W - 155' 7 1/2"	S 53° 37' W - 220' 7 1/4"
S 45° 55' W - 222' 3 1/4"	S 74° 02' W - 112' 7"
S 36° 50' W - 176' 10 1/4"	S 75° 02' W - 652' 6 1/2"
S 31° 28' W - 238' 6 1/2"	N 89° 16' W - 127' 5"
S 43° 17' W - 294' 4 3/4"	S 50° 05' W - 107' 4 3/4"
S 36° 40' W - 319' 6"	S 77° 34' W - 185' 11 1/4"
S 37° 01' W - 216' 10 1/4"	N 35° 50' W - 50' 2"
S 66° 32' W - 266' 1 1/4"	S 87° 08' W - 131' 0"
S 49° 35' W - 58' 10 1/2"	S 81° 35' W - 153' 1 1/2"
S 52° 18' W - 202' 0"	S 86° 35' W - 180' 0"
S 25° 04' W - 124' 3"	S 59° 33' W - 149' 6"
S 15° 33' W - 206' 4 1/4"	

to the South westerly limit of Lot 6, Concession II;
 THENCE N 46° 10' W a distance of 551' 10½" to the
 center line of the Road Allowance between Concessions II and III;
 THENCE South westerly along the last mentioned limit
 to the center line of the Road Allowance between the Townships of
 East Flamborough and West Flamborough.

- (b) Any road allowance between B. F. and 1st Concession, and between Concession 1 and Concession 2 and that part of the road allowance between Concession 2 and Concession 3 being the S.W. half of the said road allowance between the S.W. limit of lot 6 and the S.W. limit of lot 13.
- (c) Lands on plans entered and registered in the Registry Office for the registry division of Wentworth.

<u>Plan Number</u>	<u>Survey</u>	<u>Plan Number</u>	<u>SURVEY</u>
241	J.J. Filman being lots 1 & 2	810	Long Acres
That part of 337	Peter Carroll Lots 1 to 22 inclusive and streets within the Corporation of the Town of Burlington	825	Addition to Long Acres
338	Hopkins	833	Extension to Long Acres
339	H.F. Carroll	834	Aldershot Glens Addition
348	Bigelow & Bigelow	839	Long Acres Annex
353	Applegarth	840	Reiss Court
529	Brighton Beach	844	North Shore Heights
614	Inglehaven	847	Harbour Heights
623	Stanley Mills	849	Long Acres Gardens
629	Glenhaven	858	Long Acres Heights
642	Filman & Brown	873	Glen Acres
645	Valleyview	875	North Shore Heights Annex
648	Plandome	880	Garden View
651	Bridgeview	887	Aldershot Glens Annex
655	Brookcliff	910	Glen Acres Court
That part of 659	Highway Heights Lots 1 to 139 inclusive and streets within the Corporation of the Town of Burlington	931	Robbins Acres
661	Eddie Whyte	942	Ascot Place
663	Country Club Gardens	950	North Shore Gardens
665	Scheerdale	961	Danfield
701	Hidden Valley	980	Glen Acres Annex
725	Sunny Plains	987	Craven's Survey
732	Aldershot Glens	1000	Waterdown Hills
744	Unsworth Heights	1006	Glen Acres Addition
752	Home Gardens	1017	Van Acres
753	Bevin Park	1018	Inglehaven Gardens
758	Unsworth Gardens	1026	Carolin
779	Sunny Plains Addition	1044	Dodds & Reynolds
791	Easterbrook	1062	Dovercourt
803	Aldershot Glens Extension	1066	Harbour Heights Addition
		1072	North Shore Terrace
		1073	Maplehurst
		1080	Harbour Heights Annex
		1093	Glen Acres Extension
		1094	Willowbrook
		1111	Willowbrook Addition
		1116	Marley Park Annex
		1124	White Oak Manor
		1137	Bay View Terrace

2. Lands formerly in the Township of Nelson and Lands in the former Corporation of the Town of Burlington.

- (a) Township Lots and Blocks.
- Lots 1 to 15, all inclusive, Concession 1 in the New Survey.
 - Lots 1 to 15, all inclusive, in Concession 2 in the New Survey.
 - Lots 1 to 15, all inclusive, in Concession 3 in the New Survey.
 - Lots 1 to 15, all inclusive, in Concession 4 in the New Survey.
 - Lots 1 to 15, all inclusive, in Concession 5 in the New Survey.
 - Lots 1 to 15, all inclusive, in Concession 6 in the New Survey.
 - Lots 1 to 15, all inclusive, in Concession 7 in the New Survey.
 - Lots 1 to 24, all inclusive, Concession 1 N.D.S.
 - Lots 1 to 24, all inclusive, Concession 2 N.D.S.
 - Lots 1 to 24, all inclusive, Concession 1 S.D.S.
 - Lots 1 to 18, all inclusive, Concession 2 S.D.S.
 - Lots 1 to 18, all inclusive, Concession 3 S.D.S.
 - Lots 1 to 18, all inclusive, Concession 4 S.D.S.
 - Brants Block.

(b) Any road allowance between Concession 1 S.D.S. and Concession 2 S.D.S.,
 and between Concession 1 N.D.S. and Concession 2 N.D.S.,
 and between the old survey and the new survey of the former
 Township of Nelson, now in the Town of Burlington,
 and between the Town of Burlington and the Township of
 Nassagaweya,
 and between the Town of Burlington and the Township of East
 Flamborough,
 and between Concession 1 and Concession 2,
 and between Concession 2 and Concession 3,
 and between Concession 3 and Concession 4,
 and between Concession 4 and Concession 5,
 and between Concession 5 and Concession 6,
 and between Concession 6 and Concession 7,
 all of the New Survey,
 and between the Town of Burlington and the Township of Trafalgar.

(c) Lands on plans entered and registered in the registry office
 for the registry division of the County of Halton.

<u>Plan Number</u>	<u>Survey</u>	<u>Plan Number</u>	<u>Survey</u>
12	Wellington Square	203	Pettit
13	Village of Kilbride	205	Chestnut Grove
14	Willbrook	206	H. Cleaver
22	Lowville	207	Darlington
26	Cumminsville	208	Patricia Park
39	Village of Wellington Square	209	E. D. Hart
43	Cumminsville	210	Leighland Road & Glendor Avenue
45	Village of Port Nelson	212	Roseland
46	The Brant Farm	218	Roseland Park
47	The Brant Farm	219	Hillcrest
48	Hannahsville	220	Roseland Court
55	David Torrance	221	Inglewood
57	Hannahsville	223	Crescent Survey Extension
58	Village of Kilbride	224	Cedar Springs
61	David Torrance	225	Cedar Springs
65	B. Eager	236	Indian Point
66	Burlington Beach	242	Headon
70	H. H. Hurd	291	Prospect
71	R. Redpath	293	Dynes
74	Wm. Bunton	299	Addition to Prospect
78	D. P. Crosby	310	Pomona Ave.
79	O. T. Springer	315	Regency Park
81	E. A. Gray	320	Extension to Prospect
84	James Allen	321	Glenwood Park
86	Amendment to Plan 84	324	Woolnough
87	C. Torrance	338	The Queensway
88	Burlington Mfg. Co.	342	Westland
90	Addison Hager	356	Orchard Park
92	Village of Burlington	361	Town of Burlington
97	J. J. Filman	378	Coric
99	Judge's Plan Pt. of Brants Block	381	Clarkesdale
109	Bells	382	Gladiolus Gardens
111	J. C. & M.C. Smith	393	Kerry Gardens
116	Hazelmere	396	Stratheden
117	Wellington Park	407	Cymek
125	Ghents	408	S. Remen
134	Crescent Park	414	Cloverleaf
136	Pine Cove	426	J. N. & G. S. Blair
144	Apple Park	431	C. F. Rowson
145	Lakeside	439	W. Markow
146	Addition to Pine Cove	446	Chahley
148	Crystal Beach	452	Hewitt Park
169	Brants Gardens	454	Nelson Gardens
171	Shore Acres	455	Bridgeman Place
172	Pine Cove Extension	458	Blairlea Terrace
173	T. Ghent	464	King's Court
179	Boyd	471	Roseland Heights
180	Addition to Inglehaven	476	Chahley
196	J. C. Smith	482	Bell Orchard
201	Woodview Road	494	J. H. Hill
202	J. J. McKinney	496	Mountain Grove

<u>Plan Number</u>	<u>Survey</u>	<u>Plan Number</u>	<u>Survey</u>
499	Addition to Roseland Heights	711	Strathcona Gardens
509	Beaufort Heights	723	Clarendon Park
511	Queens Court	729	Dukes
520	Tarves & Jennings	741	Strathcona Gardens
524	Shore Acres Heights	752	Arnold
526	Blairlea Terrace Extension	764	A. Verhoeven
528	Bell Orchard Extension	789	Marley Park
533	Mountain Gardens	792	Rothsay Park
535	Bedini	853	Benner Park
540	Mountain Park	854	Brant Gardens
561	Wardley Court	863	A. S. Nicholson
566	Ghent Gardens	870	Lilnan Court
571	Addition to Shore Acres	875	Fenley Park
588	Poplar Bluffs	878	Marita
594	Jack Davies	883	Newbold Court
606	Somerset Court	890	Briarwood Acres
607	Elizabeth Gardens	903	Prospect Gardens
616	Cabot Construction	908	Beverley Heights
625	C. F. Hewitt	955	Mary Ann Gardens
627	W. J. Cornick	960	Caterina Court
640	Burlington Heights	964	Roslyn
648	H. Bodden	965	Appleby Park
652	Industrial Subdivision	966	Garden Homes
674	Extension to Shore Acres Heights	972	Cedarvale Gardens
680	Maplewood Drive	1006	Rolling Meadows
683	Royal Acres	1010	Prospect Gardens Extension
688	A. J. Verhoeven	1055	Progress Park
703	Oakton Development	1061	White Pines Court
		1071	Appleby Gardens
		1072	Appleby Court
		1081	Woodward Heights
		1086	Green Forest Hills

2. The following designated registered plans of subdivision and parts of registered plans of subdivision within area of subdivision control Number 1, set out in Schedule "B" hereto, are deemed not to be registered plans of subdivision for the purpose of subsection 1 of section 26 of The Planning Act, 1960.

SCHEDULE "B"

1. Lands formerly in the Township of East Flamborough now in the Town of Burlington.

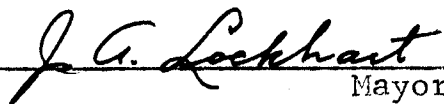
<u>Plan Number</u>	<u>Survey</u>	<u>Plan Number</u>	<u>Survey</u>
241	J. J. Filman being lots 1 & 2	That part of 659	Highway Heights lots 1 to 139 inclusive and streets within the Town of Burlington.
That part of 337	Peter Carroll lots 1 to 22 inclusive and streets within the Town of Burlington.	661	Eddie Whyte
338	Hopkins	663	Country Club Gardens
339	H. F. Carroll	701	Hidden Valley
348	Bigelow & Bigelow	725	Sunny Plains
353	Applegarth	732	Aldershot Glens
614	Inglehaven	744	Unsworth Heights
623	Stanley Mills	753	Bevin Park
629	Glenhaven	Part of 791	Easterbrook being lots 71 to 81 inclusive and Parcels A, B, and C.
645	Valleyview	1080	Harbour Heights Annex
648	Plandome	Part of 1093	Glen Acres Extension
651	Bridgeview		Being Lots 35, 36 and 37

2. Lands formerly in the Township of Nelson and lands in the former Corporation of the Town of Burlington.

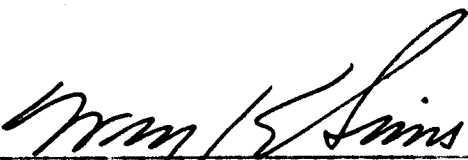
<u>Plan Number</u>	<u>Survey</u>	<u>Plan Number</u>	<u>Survey</u>
13	Village of Kilbride	225	Cedar Springs
14	Willbrook	236	Indian Point
22	Lowville	242	Headon
26	Cumminsville	291	Prospect
39	Village of Wellington Square	293	Dynes
		299	Addition to Prospect
43	Cumminsville	315	Regency Park
45	Village of Pt.Nelson	320	Extension to Prospect
46	The Brant Farm	321	Glenwood Park
47	The Brant Farm	324	Woolnough
48	Hannahsville	338	The Queensway
55	David Torrence	342	Westland
57	Hannahsville	381	Clarkesdale
58	Village of Kilbride	382	Gladiolus Gardens
65	B. Eager	393	Kerry Gardens
That part of 66	Burlington Beach Those lots and streets within the Corporation of the Town of Burlington	Part of 408 Part of 426	S. Remen being Block A J.N. & G.S. Blair being lots 1,3,4, and 9
Part of 70	H.H.Hurd beings lots 1 & 2	509	Beaufort Heights
71	R. Redpath	Part of 528	Bell Orchard Addition being lots 25,26,27, 28, 29 and 30
74	Wm. Buntin	Part of 533	Mountain Gardens being Blocks A,B,C,D,E.
84	James Allan	Part of 607	Elizabeth Gardens being parcel M,O,P.
86	Amendment to Plan 84	Part of 674	Extension to Shore Acres Hts, being lots 14,15,16,17,41 and Blocks C,D, E.
88	Burlington Mfg. Co.	Part of 870	Lilnan Court being lots 5 & 6
90	Addison Hager	Part of 966	Garden Homes Being Block D
Part of 97	J.J.Filman being lots 4,5, part of lot 6, part of lot 7, part of lot 9, part of lot 10, part of Block A.		
Part of 111	J.C. & M.C. Smith being lot A.		
116	Hazelmere		
117	Wellington Park		
125	Ghents		
134	Crescent Park		
136	Pine Cove		
144	Apple Park		
Part of 145	Lakeside being lots 1,2,3,88,90,91,92, 93,185,186,187		
146	Addition to Pine Cove		
148	Crystal Beach		
169	Brant Gardens		
171	Shore Acres		
172	Pine Cove Extension		
173	T. Ghent		
179	Boyd		
180	Addition to Inglehaven		
196	J.C. Smith		
202	J.J. McKinney		
203	Pettit		
205	Chestnut Grove		
206	H. Cleaver		
207	Darlington		
208	Patricia Park		
209	E. D. Hart		
212	Roseland		
218	Roseland Park		
220	Roseland Court		
Part of 223	Crescent Survey being lot 2		
224	Cedar Springs		

3. Where land within the area of Subdivision Control Number 1, is at the present time within a registered plan of subdivision or at any future time comes within a registered plan of subdivision, no person shall convey a part of any lot or block or parcel of the land by way of deed or transfer on any sale, or enter into an agreement of sale and purchase of a part of any lot or parcel, or block of the land, or enter into an agreement that has the effect of granting the use or right in any part of any lot or block or parcel of land directly or by entitlement to renewal for a period of twenty-one years or more, subject to the provisions of subsection 3 of section 26 of The Planning Act.
4. By-law 1275 of the Town of Burlington, By-law 1287 of the former Township of Nelson and By-law 1115 as repealed by by-law 1138 as repealed by by-law 1142 of the former Township of East Flamborough in so far as it affects the Corporation of the Town of Burlington be and the same are hereby repealed.

BY-LAW read a first time this 7th day of December, A.D., 1960
BY-LAW read a second time this 7th day of December, A.D., 1960.
BY-LAW read a third time and passed this 16th day of January,
A.D., 1961.



Mayor



Clerk