

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 260

CITY OF HAMILTON

To BY-LAW NO. 19-260

To Repeal and Replace By-law No. 19-251 for the Removal of Part Lot Control from Lots 1-24, Registered Plan No. 62M-1244, "Victory Ridge Phase 5A and 5B" municipally known as, 22, 26,30,34,38 and 42 Hargrove Way, 147, 151, 155, 159, 163, and 167 Bradshaw Drive, 3,7,11,15, 19 Hargrove Way, and 4, 8, 12, 16, 20, 24, and 28 Midhurst Heights.

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:

"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. That By-law No. 19-251 be repealed.
2. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 24 maintenance and encroachments easements for 24 single detached dwellings (Parts 1- 24, inclusive) on deposited Reference Plan 62R-21302, shall apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 1-24 inclusive, Registered Plan No. 62M -1244, "Victory Ridge Phase 5A and 5B"
in the City of Hamilton
3. 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.
4. This By-law shall expire and cease to be of any force or effect on the 23rd day of October, 2021.

PASSED this 23rd day of October 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

PLC-19-006