

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 15

**Bill No. 256**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-256**

#### **To Repeal By-law No. 19-239 and Removal of Part Lot Control Block 207, within Registered Plan No. 62M-1238 "Mountainview Heights Phase 2", municipally known as, 35,37,39,41,43 and 45 Riverwalk Drive.**

**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 That By-law No. 19-239 be repealed in its entirety.
2. That Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating six residential parcels for street townhouse dwellings, shown as Parts 1,3,5,6,8 and 10, inclusive, including maintenance easements, shown as Parts 2,4,7 and 9, inclusive, on deposited Reference Plan 62R-21205, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Block 207, Registered Plan No. 62M-1238, 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.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

PLC-19-028