

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 0

**Bill No. 251**

## **CITY OF HAMILTON**

BY-LAW No. 19-

Respecting: Removal of Part Lot Control

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:

"(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:

Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 20 maintenance and encroachments easements for 24 detached dwellings on (Parts 1- 20, inclusive) on deposited Reference Plan 62R-21302, shall not 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

1. 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.
2. This by-law shall expire and cease to be of any force or effect on the October 9, 2021.

**PASSED** this 9<sup>th</sup> day of October 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk