

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

Bill No. 118

CITY OF HAMILTON

BY-LAW NO. 21-

Respecting Removal of Part Lot Control, Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan of Subdivision 62M-1266, Municipally Known as 3, 5, 9, 11, 14-17, 20-23, 26-29, 33, 35, 39, 41, 45, 47 Mountain Heights Place, 4, 6, 10, 12, 15-18, 21-25, 27, 28, 30, 31, 33, 34, 36 Great Falls Boulevard, 143, 145, 149, 151, 155, 157, 166, 168, 172, 174, 178, 180, 184, 186, 190, 192, 196, 198 Agro Street, 6-9, 12-15, 18-21, 24-27, 75, 77, 80-83, 86-89, 92-95, 98-101 Westfield Crescent, 28, 30, 34, 36 Kenesky 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:

“(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:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 98 lots for semi detached dwellings and eight maintenance easements, shown as Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 106, 107, 108, 109, 110, 111 and as Parts 6, 7, 10, 25, 28 and 51, inclusive, on deposited Reference Plan 62R-21633, and shown as Lots 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77 and as Parts 10 and 15, inclusive, on deposited Reference Plan 62R-21634, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan No. 62M-1266, in the City of Hamilton.

Respecting Removal of Part Lot Control, Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan of Subdivision 62M-1266, Municipally Known as 3, 5, 9, 11, 14-17, 20-23, 26-29, 33, 35, 39, 41, 45, 47 Mountain Heights Place, 4, 6, 10, 12, 15-18, 21-25, 27, 28, 30, 31, 33, 34, 36 Great Falls Boulevard, 143, 145, 149, 151, 155, 157, 166, 168, 172, 174, 178, 180, 184, 186, 190, 192, 196, 198 Agro Street, 6-9, 12-15, 18-21, 24-27, 75, 77, 80-83, 86-89, 92-95, 98-101 Westfield Crescent, 28, 30, 34, 36 Kenesky Drive

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2. 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.
3. This by-law shall expire and cease to be of any force or effect on the 9th day of July, 2023.

PASSED this 9th day of July, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

PLC-21-001