

By-Law No. _____

A By-Law to provide for the assumption of the public highways in Midland Park Subdivision Phase 4-3, Registered Plan 13M-104, in the City of Kingston, in accordance with section 31(4) of the Municipal Act, Chapter 25, S.O. 2001; and to provide acceptance by the City of Kingston, of the associated public works within.

Passed: _____, 2024

Whereas the owner, 1517849 Ontario Limited, entered into a Subdivision Agreement with the City of Kingston for Midland Park Subdivision Phase 4-3, registered as Instrument # FC213904 on January 26, 2016;

And Whereas the owner, 1517849 Ontario Limited, has completed the construction of the associated public works for Midland Park Subdivision Phase 4-3, Registered Plan 13M-104, based on the subdivision agreement dated January 26, 2016, including the streets and the appurtenances thereto in accordance with the terms of the subdivision agreement and any subsequent amendments thereto;

And Whereas the subdivision agreement provides for acceptance of these works in whole or in part by the Municipality upon satisfactory completion subject to certain provisions for maintenance as laid out in the subdivision agreement;

And Whereas the streets in Midland Park Subdivision Phase 4-3 as shown on Registered Plan 13M-104 are dedicated as public highways and are now vested in the City of Kingston;

And Whereas Section 31, Chapter M45 of the Municipal Act, R.S.O. 2001 provides for the assumption of public highways.

Now Therefore the Council of the Corporation of the City of Kingston enacts as follows:

1. That Council authorize the Director of the Engineering Department to issue a "Preliminary Certificate of Approval of the Works" to accept the associated public works which service Midland Park Subdivision Phase 4-3, Registered Plan 13M-104.

2. That part of Executive Avenue and part of Jade Avenue, as established as a public highway in Midland Park Subdivision Phase 4-3, Registered Plan 13M-104, be assumed by the Municipality under Section 31(4), of the Municipal Act, Chapter 25, S.O. 2001.

Given all Three Readings and Passed:

Janet Jaynes
City Clerk

Bryan Paterson
Mayor