

By-Law No. \_\_\_\_\_

**A By-Law to provide for the assumption of the public highways in West Village Phase 1 Subdivision, Registered Plan 13M-120, 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, Taggart (Gardiners) Corporation, entered into a Subdivision Agreement with the City of Kingston for West Village Phase 1 Subdivision, registered as Instrument # FC273396 on December 13, 2018;

**And Whereas** the owner, Taggart (Gardiners) Corporation, has completed the construction of the associated public works for West Village Phase 1 Subdivision, Registered Plan 13M-120, based on the subdivision agreement dated December 13, 2018, 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 West Village Phase 1 Subdivision as shown on Registered Plan 13M-120 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 West Village Phase 1 Subdivision, Registered Plan 13M-120.

2. That Ashford Place, Part of Wheathill Street, Part of Barrow Avenue, Part of Swanfield Street, as established as a public highway in West Village Phase 1 Subdivision, Registered Plan 13M-120, be assumed by the Municipality under Section 31(4), of the Municipal Act, Chapter 25, S.O. 2001.

**Given all Three Readings and Passed:**

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**