

Bill No. 444  
2023

By-law No. S.-\_\_\_\_-\_\_\_\_

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Upperpoint Avenue; as part of Fountain Grass Drive; and as part of Upper West Avenue)

WHEREAS section 5(3) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

WHEREAS subsection 10(2) paragraph 7 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

WHEREAS subsection 31(2) of the Municipal Act, 2001, S.O. 2001, C.25, as amended, provides that land may only become a highway by virtue of a by-law establishing the highway and not by the activities of the municipality or any other person in relation to the land, including the spending of public money;

AND WHEREAS it is expedient to establish the lands hereinafter described as public highway;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as part of Upperpoint Avenue, namely:

“All of the 0.3m Reserve at the southerly limit of Upperpoint Avenue on Registered Plan 33M-754, in the City of London and County of Middlesex, designated as Block 148 on Registered Plan 33M-754.”

2. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as part of Fountain Grass Drive, namely:

“All of the 0.3m Reserve at the westerly limit of Fountain Grass Drive on Registered Plan 33M-754, in the City of London and County of Middlesex, designated as Block 149 on Registered Plan 33M-754.”

3. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as part of Upper West Avenue, namely:

“All of the 0.3m Reserve at the westerly limit of Upper West Avenue on Registered Plan 33M-754, in the City of London and County of Middlesex, designated as Block 150 on Registered Plan 33M-754.”

4. This by-law comes into force and effect on the day it is passed subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

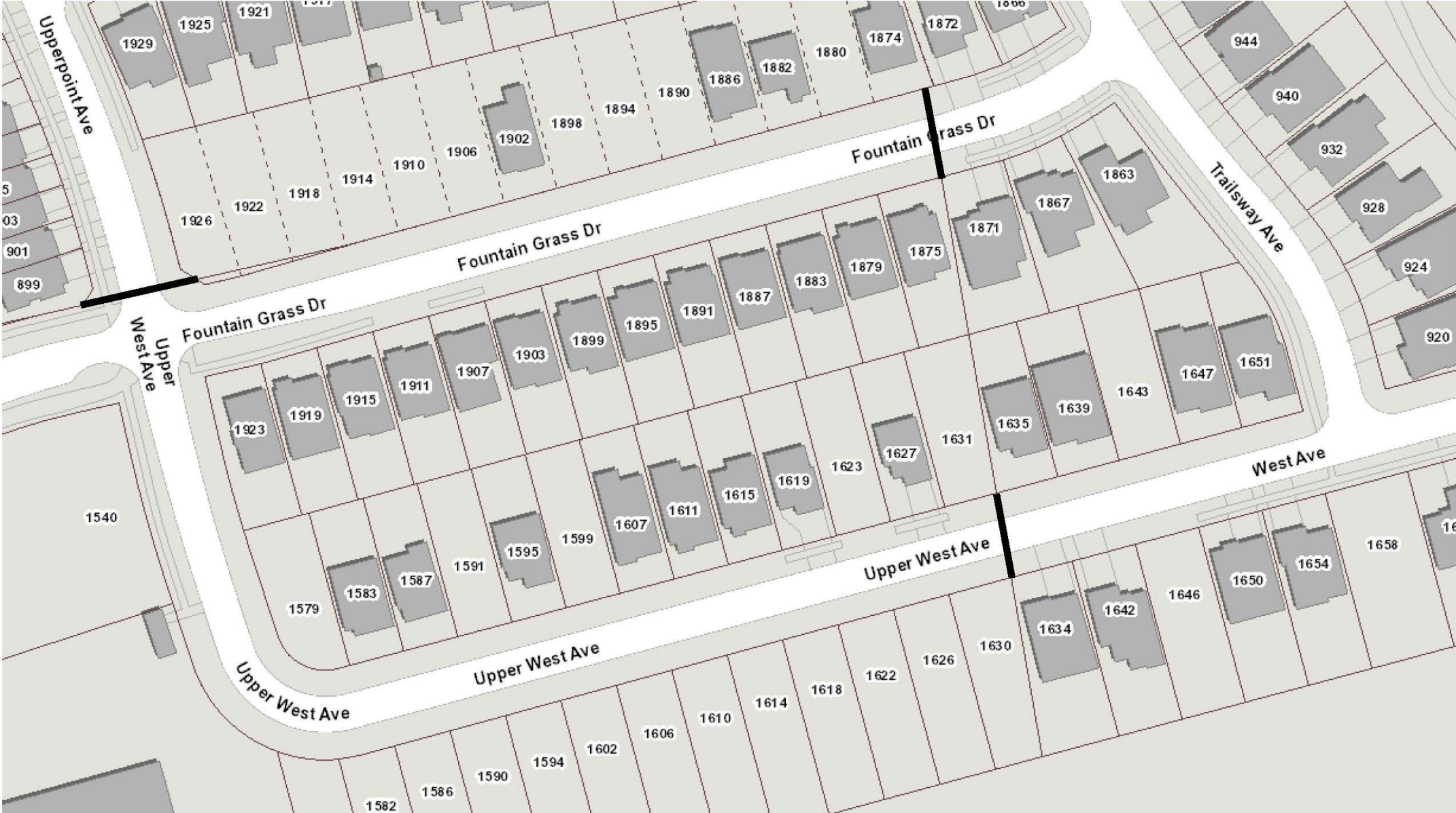
PASSED in Open Council on November 28, 2023 subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – November 28, 2023  
Second Reading – November 28, 2023  
Third Reading – November 28, 2023

# LOCATION MAP



————— SUBJECT LANDS