THE CITY OF WINNIPEG

BY-LAW NO. 94/2016

A By-law of THE CITY OF WINNIPEG to close parts of St. Matthews Avenue, open parts of St. Matthews Avenue, Madison Street and Kensington Street for the purpose of extending and widening St. Matthews Avenue for Polo Park Area Infrastructure Improvements and to change the names of certain streets in the City of Winnipeg

WHEREAS it is desirable and expedient to close part of St. Matthews Avenue (plans 917,921,1347, 2608, 3945, 5841, 5844, 39198) lying between Kensington Street and St. James Street in the manner provided by this by-law;

AND WHEREAS it is desirable and expedient to open part of St. Matthews Avenue, Madison Street and Kensington Street lying between St. James Street and Century Street in the manner provided by this by-law;

AND WHEREAS it is desirable and expedient to open part of St. Matthews Avenue lying east of and adjacent to Empress Street in the manner provided by this by-law;

AND WHEREAS Section 136 of *The City of Winnipeg Charter* provides as follows:

> "136 Subject to this and any other Act, the city has the control and management of streets within the city."

AND WHEREAS Section 129 of *The City of Winnipeg Charter* provides as follows:

> "129 Council may pass by-laws respecting
>
> (b) the naming of streets and buildings, the numbering of buildings and lots and the requirement to post names on public or private property and to affix numbers on buildings; "

AND WHEREAS it is deemed expedient to rename certain streets within the City of Winnipeg;

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1 Part of St. Matthews Avenue (plans 917,921,1347, 2608, 3945, 5841, 5844, 39198) lying between Kensington Street and St. James Street shall be closed by taking and using the land described as follows:

> **In the City of Winnipeg, in the Province of Manitoba and being Parcels A, B, C and D as the same are shown bordered on a**

Plan (Deposit 1408/2015) in River Lots 39, 40 and 41, Parish of St. James, prepared by Donald Neil Bourgeois, of the City of Winnipeg, Manitoba Land Surveyor and sworn to by him on the 30th day of December, 2015, hereto attached.

2 St. Matthews Avenue, Madison Street and Kensington Street lying between St. James Street and Century Street shall be opened by taking and using the land described as follows:

In the City of Winnipeg, in the Province of Manitoba and being the land taken for St. Matthews Avenue, Madison Street and Kensington Street as the same are shown bordered on a Plan (Deposit 1407/2015) in River Lots 39, 40 and 41, Parish of St. James, prepared by Donald Neil Bourgeois, of the City of Winnipeg, Manitoba Land Surveyor and sworn to by him on the 12th day of January, 2016, hereto attached.

3 St. Matthews Avenue lying east of and adjacent to Empress Street shall be opened by taking and using the land described as follows:

In the City of Winnipeg, in the Province of Manitoba and being the land taken for St. Matthews Avenue as the same is shown bordered on a Plan (Deposit 1342/2015) in River Lot 43, Parish of St. James, prepared by Donald Neil Bourgeois, of the City of Winnipeg, Manitoba Land Surveyor and sworn to by him on the 30th day of December, 2015, hereto attached.

for the purpose of extending and widening St. Matthews Avenue widening for Polo Park Area Infrastructure Improvements.

4 Certain streets as herein described are hereby renamed to “St. Matthews Avenue, Kensington Street and Madison Street” said lands being :

All those portions of St. Matthews Avenue, Kensington Street and Madison Avenue as the same are shown bordered on a Plan (Deposit 1406/2015) in River Lots 39 and 40, Parish of St. James, prepared by Donald Neil Bourgeois, of the City of Winnipeg, Manitoba Land Surveyor and sworn to by him on the 30 day of December, 2015, hereto attached.

5 It is determined that no person or class of persons shall be considered as being injuriously affected by the closing of the portion of St. Matthews Avenue between Kensington Street and St. James Street as mentioned in section 1

6 The proper officers of the City are hereby authorized, instructed and empowered to do all things necessary to: close those sections of St. Matthews Avenue mentioned in section 1, open those sections of St. Matthews Avenue, Madison Street and Kensington Street mentioned in section 2, open the section of St. Matthews Avenue mentioned in section 3 and rename certain streets to St. Matthews Avenue, Kensington Street and Madison Street as mentioned in section 4 and otherwise to give effect to this by-law and

whatsoever those officers may have done heretofore in this behalf is hereby ratified and confirmed.

DONE AND PASSED in council assembled this 13th day of July, 2016.

Mayor

City Clerk

ADMINISTRATIVE APPROVALS

Approved as to legal description:

Donald Neil Bourgeois, M.L.S.
for John Kieran, Director
Planning, Property and Development Department

Approved as to details:

Lester Deane, Director
Public Works Department

Approved as to form:

Samantha K. O. Murata
for Krista Boryskavich
Director of Legal Services/City Solicitor

Approved:

Douglas McNeil
Chief Administrative Officer