THE CITY OF WINNIPEG

BY-LAW NO. 105/2016

A By-law of THE CITY OF WINNIPEG to open parts of Waverley Street and Taylor Avenue for the purpose of construction of the Waverley Street at CN Mainline (Rivers) Grade Separation Project, in the City of Winnipeg, in Manitoba.

WHEREAS it is desirable and expedient to open part of Waverley Street lying to the south of and adjacent to Hurst Avenue in the manner provided by this by-law;

AND WHEREAS it is desirable and expedient to open parts of Waverley Street and Taylor Avenue lying to the southwest of the current intersection of Waverley Street with Taylor Avenue in the manner provided by this by-law;

AND WHEREAS it is desirable and expedient to open parts of Waverley Street and Taylor Avenue lying to the southeast of the current intersection of Waverley Street with Taylor Avenue 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

> "139 Council may pass by-laws respecting streets and the parking of vehicles in the city, including, without limiting the generality of the foregoing, by-laws respecting

> (b) the opening and, subject to section 140, the closing of streets"

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

1. Waverley Street lying to the south of and adjacent to Hurst Avenue shall be opened by taking and using the land described as follows:

> **In the City of Winnipeg, in the Province of Manitoba and being all that land taken for Waverley Street as the same is shown on a Plan (Deposit 743/2016) in River Lots 13, 17, 18, 19, 20 and 21, Parish of St Boniface, Prepared by Albert Gerhard Degner, of The City of Winnipeg, Manitoba Land Surveyor and sworn to by him on the 29th day of September 2016, hereto attached.**

2. Waverley Street and Taylor Avenue lying to the southwest of the current intersection of Waverley Street with Taylor Avenue 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 Waverley Street and Taylor Avenue as the same are shown bordered on a Plan (Deposit 734/2016) in River Lots 46 and 47, Parish of St. Boniface, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor and sworn to by him on the 8th day of July, 2016, hereto attached.**

3. Waverley Street and Taylor Avenue lying to the southeast of the current intersection of Waverley Street with Taylor Avenue 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 Waverley Street and Taylor Avenue as the same are shown bordered on a Plan (Deposit 846/2016) in River Lot 46, Parish of St. Boniface, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor and sworn to by him on the 2nd day of September, 2016, hereto attached.**

for the purpose of construction of the Waverley Street at CN Mainline (Rivers) Grade Separation Project , in the City of Winnipeg, in Manitoba.

4. The proper officers of the City are hereby authorized, instructed and empowered to do all things necessary to open those sections of Waverley Street and Taylor Avenue mentioned in sections 1, 2 and 3 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 26th day of October, 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 form:

_____
Sarah Rentz
For: Krista Boryskavich
Director of Legal Services/City Solicitor