File No. DAOC 5/2002 and DAO 4/2004

EXPLANATION TO COUNCIL FOR BY-LAW NO. 68/2004

The opening of Waterfront Drive between Lombard and Pacific Avenues, the widening of McDermot Avenue west of Ship Street and the closing of parts of McDermot, Bannatyne and James Avenues was approved by the Standing Policy Committee on Property and Development at its meeting held March 4, 2003 and adopted by Council at its meeting held March 26, 2003 and the widening of Amy Street north of James Avenue was approved by the Executive Policy Committee and adopted by Council at its meeting held April 21, 2004.

Ursula B. Goeres
City Solicitor/Manager of Legal Services

BY-LAW NO. 68/2004

A By-law of THE CITY OF WINNIPEG to open Waterfront Drive between Lombard and Pacific Avenues, to widen McDermot Avenue west of Ship Street, to close parts of McDermot, Bannatyne and James Avenues and to widen Amy Street north of James Avenue.

WHEREAS it is desirable and expedient to open Waterfront Drive between Lombard and Pacific Avenues, to widen McDermot Avenue west of Ship Street, to close parts of McDermot, Bannatyne and James Avenues and to widen Amy Street north of James Avenue in the manner provided by this by-law;

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

1. Waterfront Drive between Lombard and Pacific Avenues, McDermot Avenue west of Ship Street and Amy Street north of James Avenue shall be opened by taking and using the land described as follows:

> **In the City of Winnipeg, in the Province of Manitoba, being the land taken for Waterfront Drive, McDermot Avenue and Amy Street as same is shown bordered on a plan of survey of part of River Lots 6, 7, 8 and 9 of the Parish of Saint John, prepared by Albert Gerhard Degner of the City of Winnipeg, Manitoba Land Surveyor, and sworn to by him on the 16th day of December, 2003, hereto attached.**

2. Parts of McDermot, Bannatyne and James Avenues shall be closed by taking and using

the land described as follows:

In the City of Winnipeg, in the Province of Manitoba, being Parcels lettered "C", "G" and "Q", which parcels are shown bordered on a plan of survey of part of River Lots 7, 8 and 9 of the Parish of Saint John, prepared by Albert Gerhard Degner of the City of Winnipeg, Manitoba Land Surveyor, and sworn to by him on the 16th day of December, 2003, hereto attached.

3. It is determined that no person or class of persons shall be considered as being injuriously affected by the closing of parts of McDermot, Bannatyne and James Avenues.

4. The proper officers of the City are hereby authorized and directed to do all things necessary to open Waterfront Drive between Lombard and Pacific Avenues, to widen McDermot Avenue west of Ship Street, to close parts of McDermot, Bannatyne and James Avenues and to widen Amy Street north of James Avenue as mentioned in Section 1 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.

5. The cost of and incidental to this by-law shall be borne by the City-at-large.

DONE AND ENACTED by Council assembled, this day of April, 2004.

MAYOR

CITY CLERK

Certified as to form:

for City Solicitor/Manager of
Legal Services
[File No. R.6/2003(13) LES]