

1st. READING

2nd. "

3rd. "

FINALLY PASSED

OCTOBER 22ND, 1962

BYLAW NO. 2353

A Bylaw to authorize a crossing by single track of the Canadian Pacific Railway over 58th and 60th Avenues, east of 96th Street, in the City of Edmonton

WHEREAS the Canadian Pacific Railway has requested The City of Edmonton to permit a crossing of 58th and 60th Avenues, East of 96th Street, with a single track to provide service to the Coronet Industrial Area from the C.P.R. trackage on the Willingdon Subdivision, Mile 172.68; and

WHEREAS the City Act provides as follows:

284. (1) The council subject to the provisions of any Act of the Parliament of Canada or of the Legislature of Alberta, or to any order of the Board of Transport Commissioners for Canada, may make by-laws

- (a) sanctioning and permitting the track of any railway, street railroad or tramway to be laid in, on or along any street, avenue or lane of the city,

and

WHEREAS Section 258 of the Railway Act being Chapter 234 of the Revised Statutes of Canada 1952 reads as follows:

258. (1) The railway of the company may, if leave therefor is first obtained from the Board as hereinafter authorized, but shall not without such leave, be carried upon, along or across any existing highway; the compensation, if any, payable by the company to adjacent or abutting landowners shall be determined under the arbitration sections of this Act in so far as such sections are applicable, and the Board shall not grant leave to any company to carry any street railway or tramway, or any railway operated or to be operated as a street railway or tramway, along any highway that is within the limits of any city or incorporated town, until the company has first obtained the consent therefor by a by-law of the municipal authority of such city or incorporated town; and where leave is obtained to carry any railway along a highway the Board may require the company to make compensation to the municipality if the Board deems proper, such compensation to be determined under the arbitration sections of this Act, in so far as such sections are applicable.

(2) The company shall, before obstructing any such highway by its works, turn the highway so as to leave an open and good passage for carriages, and, on completion of the works, restore the highway to as good a condition as nearly as possible as it originally had.

NOW THEREFORE the Municipal Council of The City of Edmonton duly assembled enacts as follows:

1. That subject to the Canadian Pacific Railway receiving approval by the Board of Transport Commissioners for Canada pursuant to the provisions of the Railway Act being Chapter 234, Revised Statutes of Canada, as amended, The City of Edmonton pursuant to the provisions of the City Act, hereby authorizes the construction of a single track industrial spur across 58th and 60th Avenues, East of 96th Street, in the City of Edmonton as is shown on the C.P.R. Plan dated 15th October, 1962 and now filed with the City Clerk.

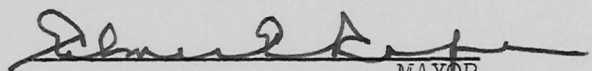
2. That the construction and maintenance of the proposed spur track authorized herein shall be subject to the Standard Conditions for spur tracks in The City of Edmonton as adopted by City Council on January 18, 1916.

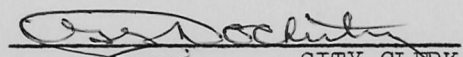
READ a first time this 22ND day of OCTOBER, A.D. 1962

READ a second time this 22ND day of OCTOBER, A.D. 1962

READ a third time and duly passed this 22ND day of OCTOBER, A.D. 1962

THE CITY OF EDMONTON


MAYOR


CITY CLERK