

1st. READING

2nd. "

3rd. "

FINALLY PASSED

MARCH 13, 1961

MICRO APR '61

BYLAW NO. 2169

A Bylaw to authorize a crossing by
single track of the Canadian Pacific
Railway over 88th Street near 61st
Avenue, in The City of Edmonton

WHEREAS the Canadian Pacific Railway has requested The City of
Edmonton to permit a crossing of 88th Street near 61st Avenue with a
single track to provide service to industrial property from the C.P.R.
trackage on the Willingdon Subdivision, Mile 172.0; 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 88th Street near 61st Avenue in the City of Edmonton as is shown marked with a red line on Plan dated February 21st, 1961 and now filed with the City Clerk.

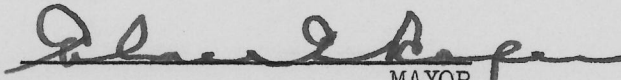
2. That the construction and maintenance of the proposed spur track authorized herein shall be subject to the Standard Conditions for spur tracks in The City of Edmonton as adopted by City Council on January 18, 1916.

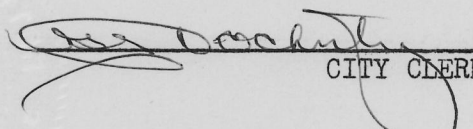
13th MARCH 
READ a first time this ~~27th~~ day of ~~February~~, A.D. 1961

READ a second time this 13th day of MARCH, A.D. 1961

READ a third time and duly passed this 13th day of MARCH, A.D. 1961

THE CITY OF EDMONTON


MAYOR


CITY CLERK