

## **THE CITY OF WINNIPEG**

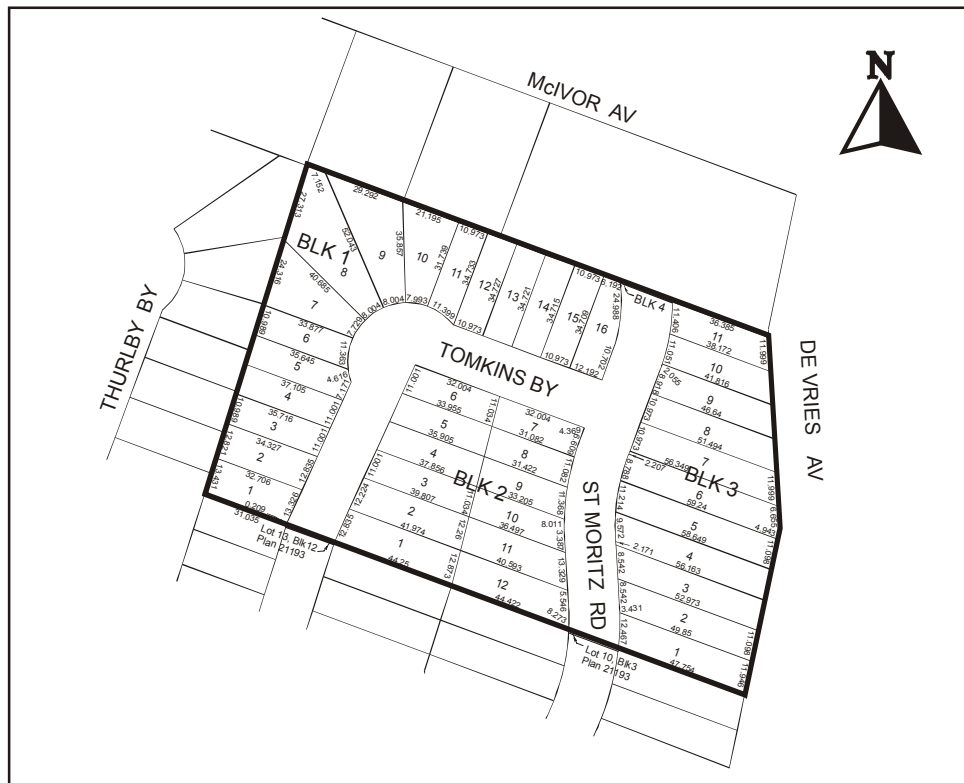
### **BY-LAW NO. 93/2004**

**A By-law of THE CITY OF WINNIPEG to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on Tomkins Bay and St. Moritz Road in the EAST KILDONAN-TRANSCONA COMMUNITY.**

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

### **PLAN OF SUBDIVISION**

1. Pursuant to Section 259 of The City of Winnipeg Charter, the plan of subdivision shown below is hereby approved for preparation as a legal plan of subdivision by a Manitoba Land Surveyor and registration in the Winnipeg Land Titles Office with such minor changes as may be required for that purpose, subject to the terms and conditions of a Development Agreement AG 35/03 to be entered into between THE CITY OF WINNIPEG and the registered owner or persons entitled to be registered owner of the above described land.



## **ZONING**

2. By-law No. 6400/94, as amended, is hereby further amended by adding thereto after subsection A20 (455) the following:

- "(456) (a) Notwithstanding anything elsewhere contained in this By-law or shown on the District Map the lands outlined on the Plan included in Clause (b) of this subsection and designated thereon as "R1-3.5" are hereby zoned as an "R1-3.5" SINGLE-FAMILY DISTRICT and the District Map shall hereafter be read and construed as shown on that Plan; and
- (b) The zoning district and zoning district boundaries referred to in clause (a) of this subsection are hereby located as shown on the Plan below."



## **SPECIAL YARDS**

3. Section 1300 of By-law No. 6400/94 is hereby amended by adding thereto the following subsection:

"1300 (28) RESIDENTIAL LOTS ABUTTING DE VRIES AVENUE



**ENACTMENT**

4. Section 1 of this By-law shall come into force and effect upon the execution by THE CITY OF WINNIPEG of the agreement described therein which execution notwithstanding enactment of this By-law shall remain in the absolute discretion of the City Council.:

5. Section 2 of this By-law shall come into force and effect upon:

- (a) Registration in the Winnipeg Land Titles Office of the plan of subdivision approved by Section 1 of this By-law; and
- (b) Registration in the Winnipeg Land Titles Office of a caveat recording Zoning Agreement DASZ 35/03 against the affected land, by not later than June 23, 2006 failing which this by-law shall expire unless that date is extended by a resolution of City Council and that registration is completed before any such extended date.

**DONE AND PASSED** in Council assembled, this 23<sup>rd</sup> day of June, A.D., 2004.

Reference: File No. DASZ 35/03

Atlas Sheet No. U 32

|                                                                                                                                              |  |                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| By-Law No. _____                                                                                                                             |  | File No. <b>DASZ 35/03</b>                                                                                                                                                                                                                                                                |
| Subsection (456)                                                                                                                             |  | Explanation<br>The attached By-law approves the plan of subdivision shown outlined below and amends By-law No. 6400/94 by rezoning the land located on Tomkins Bay and St. Moritz Road from an "A.5" AGRICULTURAL DISTRICT to an "R1-3.5" SINGLE-FAMILY DISTRICT as shown outlined below. |
| Atlas Sheet No. <b>U32</b><br><b>EAST KILDONAN</b><br><b>TRANSCONA</b><br><b>COMMUNITY</b>                                                   |  |                                                                                                                                                                                                                                                                                           |
|                                                                                                                                              |  |                                                                                                                                                                                                                                                                                           |
| THIRD READING : _____ EFFECTIVE DATE : _____<br>ZONING AGREEMENT : YES <input type="checkbox"/> NO <input type="checkbox"/> CAVEAT No. _____ |  |                                                                                                                                                                                                                                                                                           |