REFERENCE: FILE NO. DASZ 38/06

THE CITY OF WINNIPEG

BY-LAW NO. 40/2008

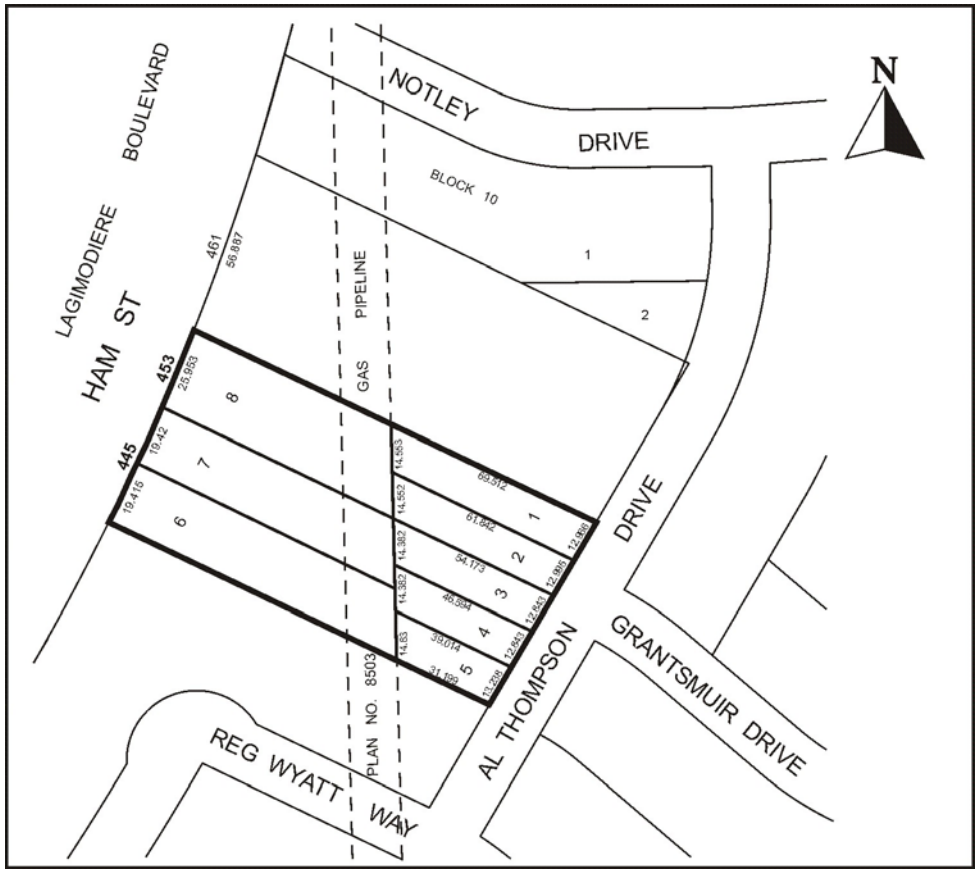
A By-law of THE CITY OF WINNIPEG to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 445 - 453 Ham Street in the EAST KILDONAN-TRANSCONA COMMUNITY.

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 38/06 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.

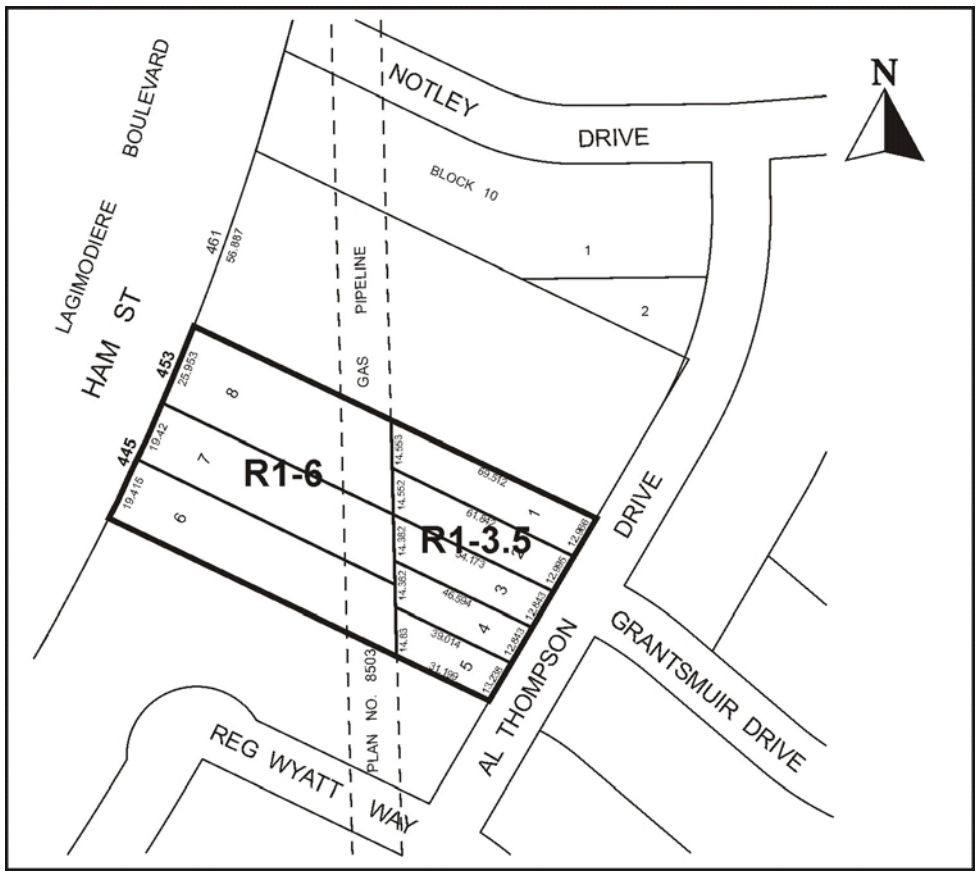


ZONING

2. By-law No. 6400/94, as amended, is hereby further amended by adding thereto after subsection A20 (754) the following:

"(755) (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" and "R1-6" are hereby zoned as an "R1-3.5" and "R1-6" RESIDENTIAL DISTRICTS and the District Map shall hereafter be read and construed as shown on that Plan; and

(b) The zoning districts and zoning district boundaries referred to in clause (a) of this subsection are hereby located on the Plan below."



ENACTMENT

3. 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.

4. 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 38/06 against the affected land, by not later than March 19, 2010 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.....day of ..... A.D. 20 .....

.....
Mayor

.....
City Clerk

Certified as to Planning Details:

.....
for Director of Planning, Property & Development

Certified as to Form:

.....
for City Solicitor

Reference: File No. DASZ 38/06 Atlas Sheet No. X 31

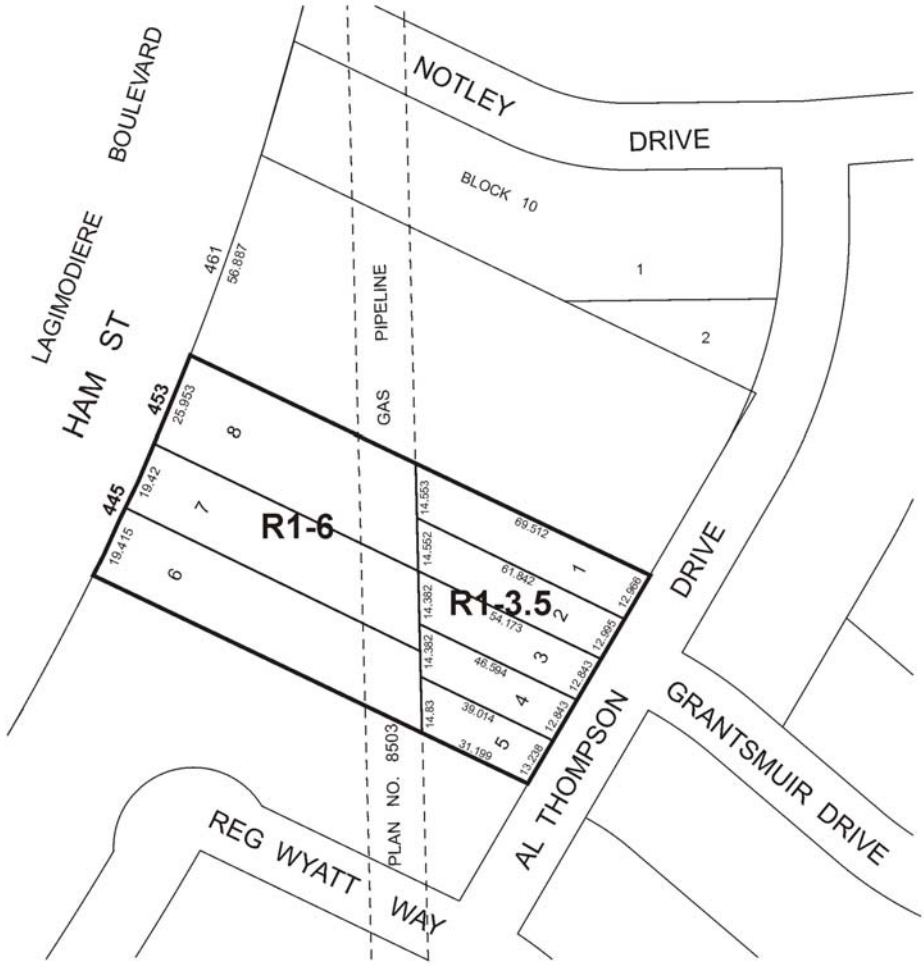
By-Law No. _____
Subsection (755)

File No. **DASZ 38/06**

Atlas Sheet No. **X31**
EAST KILDONAN TRANSCONA COMMUNITY

Explanation

The attached By-law approves the plan of subdivision shown outlined below and amends By-law No. 6400/94 by rezoning the land located at 445-453 Ham Street from an "A.5" AGRICULTURAL DISTRICT to an "R1-3.5" and an "R1-6" RESIDENTIAL DISTRICTS as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____