THE CITY OF WINNIPEG

BY-LAW NO. 117/2008

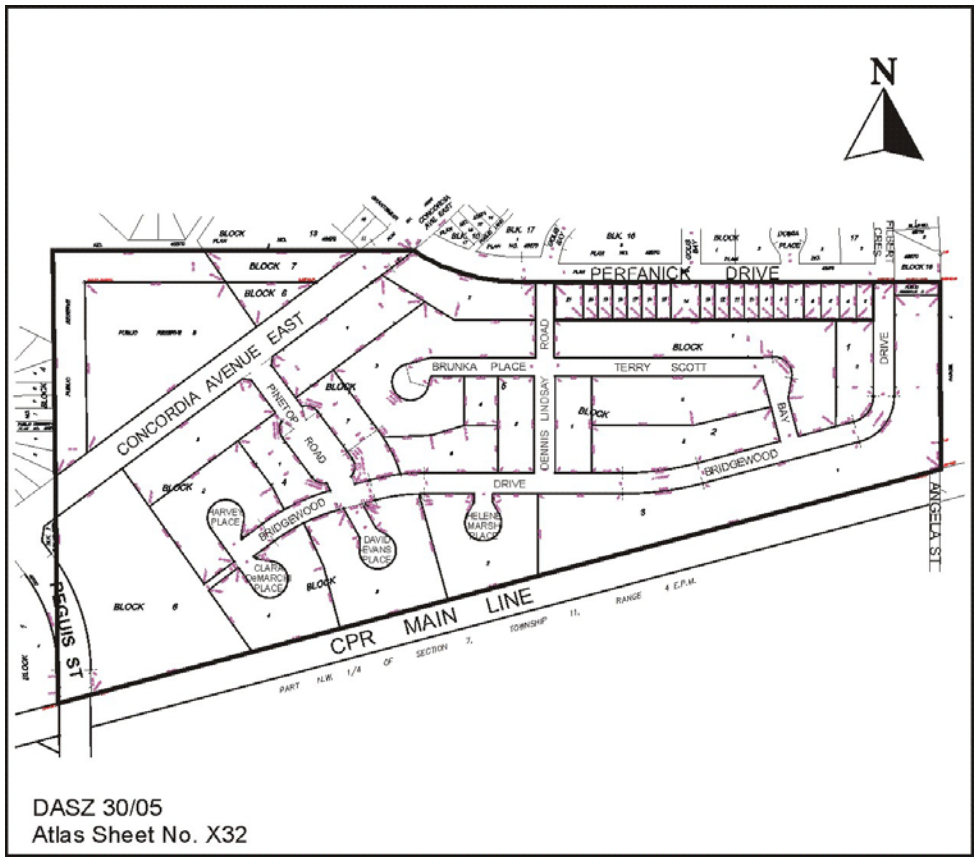
A By-law of THE CITY OF WINNIPEG to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land bounded by Perfanick Drive, Pequis Street, CPR Main Line and the future Transcona North South Corridor in the EAST KILDONAN-TRANSCONA COMMUNITY.

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 30/05 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.

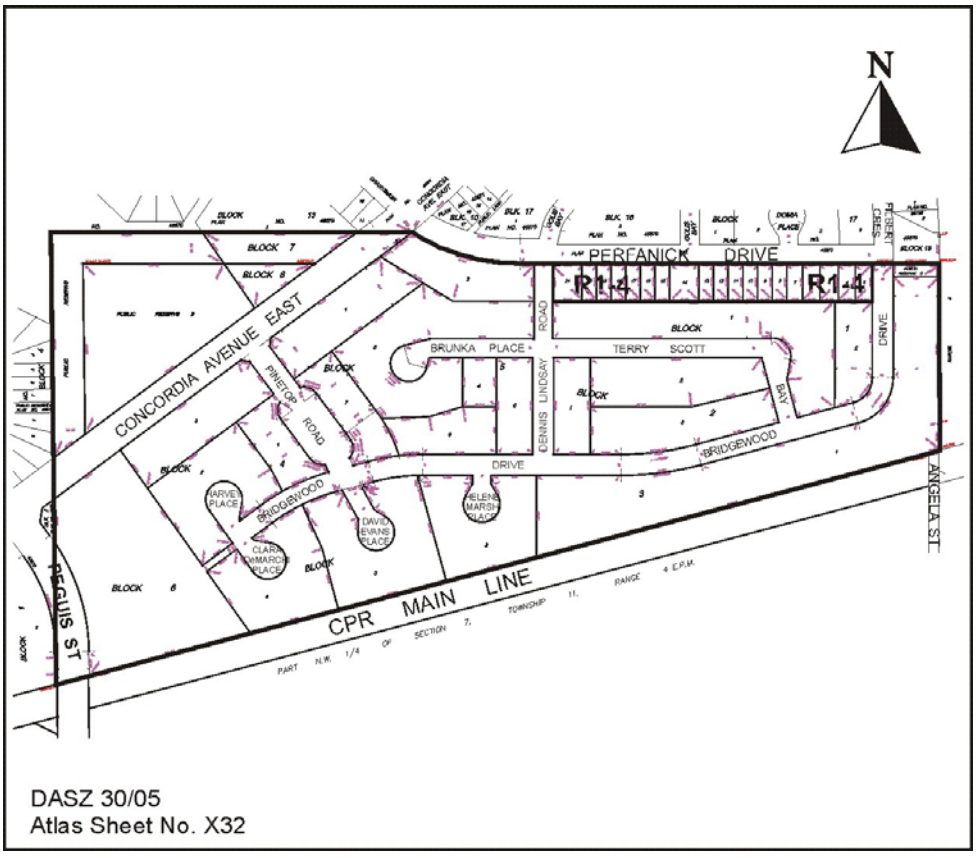


ZONING

2 By-law No. 6400/94, as amended, is hereby further amended by adding thereto after subsection A20 (791) the following:

"(792) (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 "R1-4" are hereby zoned as an "R1-4" 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."



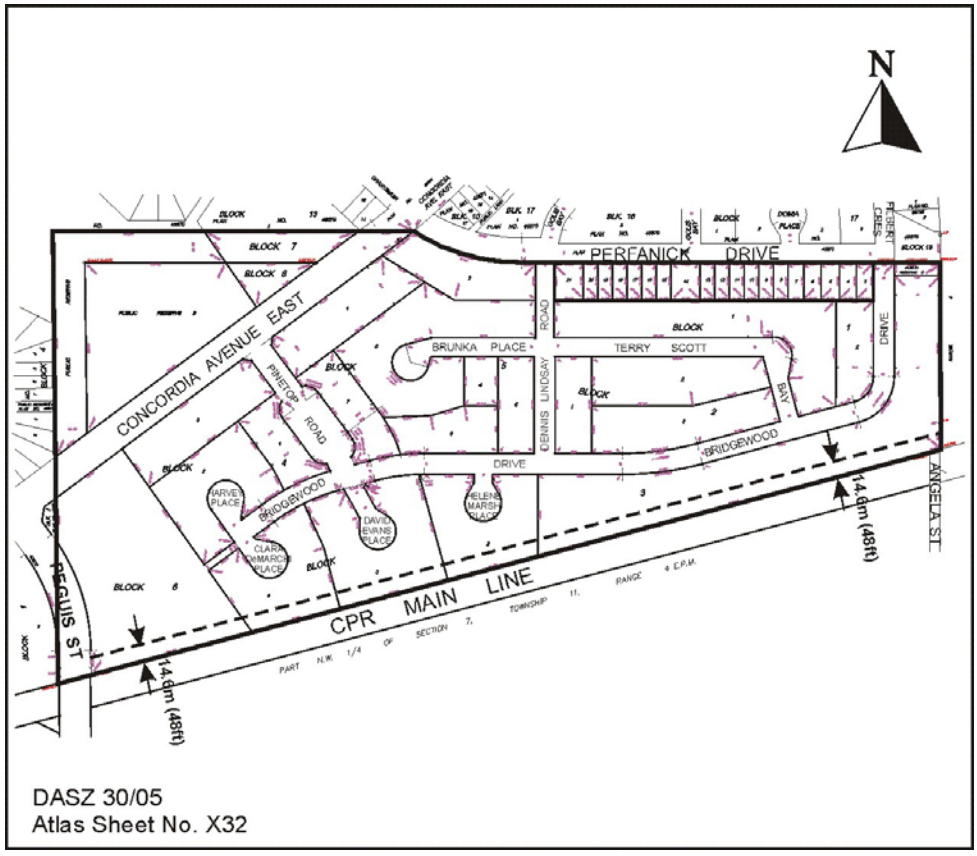
SPECIAL YARDS

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

" 1300 (36) lands with rearage on the CPR Molson Rail right-of-way and the future Transcona North South Corridor;

(a) residential lots with rearage on the CPR Molson rail right-of-way shall provide a minimum 48 foot (14.6 metres) setback between the rear property line and any hatitable rooms of principal buildings as shown on the plan below;

(b) that residential lots with rearage on the future Transcona North South Corridor shall provide a minimum rear yard of 48 feet (14.6 metres) as shown the plan below."



DASZ 30/05
Atlas Sheet No. X32

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 30.05 against the affected land, by not later than June 18, 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 this day of , 2008.

_____
Mayor

_____
City Clerk

Certified as to form:

_____
City Solicitor/Manager of Legal Services

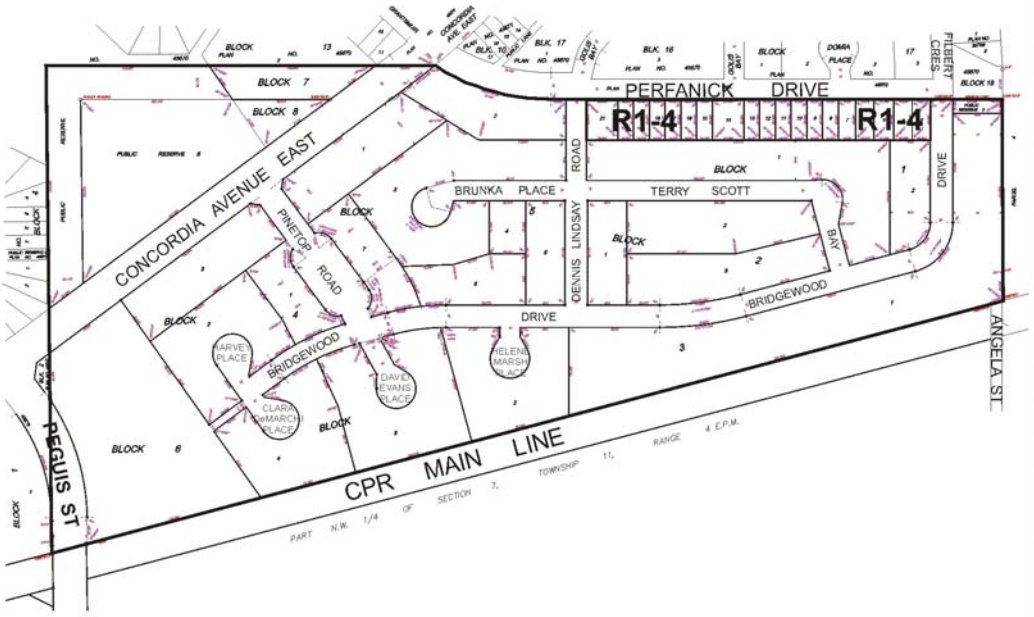
By-Law No. _____
Subsection (792)

Atlas Sheet No. **X32**
EAST KILDONAN TRANSCONA COMMUNITY

File No. **DASZ 30/05**

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land bounded by Perfanick Drive on the north and the Concordia Avenue on the south from an "A.5" AGRICULTURAL DISTRICT to an "R1-4" RESIDENTIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____