THE CITY OF WINNIPEG

BY-LAW NO. 13/2015

A By-law of THE CITY OF WINNIPEG to recognize the quashing of By-laws No. 136/2012, No. 46/2013, and No. 141/2013

WHEREAS, in a decision in *Pakosh* v. *City of Winnipeg* 2014 MBQB 234, rendered November 28, 2014, Mr. Justice Clearwater of the Court of Queen's Bench found and declared that By-laws No. 136/2012 and No. 46/2013 were invalid and were quashed;

AND WHEREAS By-law No. 141/2013 corrected an omission in By-law No. 46/2013 and therefore forms part of By-law No. 46/2013 which was quashed;

AND WHEREAS the quashed by-laws purported to amend the North Henderson Highway Secondary Plan By-law No. 1300/1976 and Schedule B of the Zoning By-law No. 200/2006 respectively;

AND WHEREAS it is clear from the above-noted decision that the intent of the Court was to leave the North Henderson Highway Secondary Plan By-law No. 1300/1976 and Schedule B of the Zoning By-law No. 200/2006 unaffected by the invalid amending by-laws;

AND WHEREAS it is desirable to clarify the legal status of these by-laws and their effect on other by-laws in order to avoid confusion and doubt about their current status;

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

By-laws No. 136/2012, No. 46/2013, and No. 141/2013 repealed

1 By-laws No. 136/2012, No. 46/2013, and No. 141/2013 are hereby repealed and the provisions in other by-laws that were amended by them are hereby revived and restored as if these by-laws had never been enacted.

Effective date

2 This By-law is effective with respect to each of By-laws No. 136/2012, No. 46/2013, and No. 141/2013 on the date each of them were enacted.

DONE AND PASSED, this 25th day of February, 2015.

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Mayor

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City Clerk

Approved as to form:

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For A/Director of Legal Services/City Solicitor