REFERENCE: FILE NO. DASZ 9/2003 (Phase 1)

THE CITY OF WINNIPEG

BY-LAW NO. 133/2003

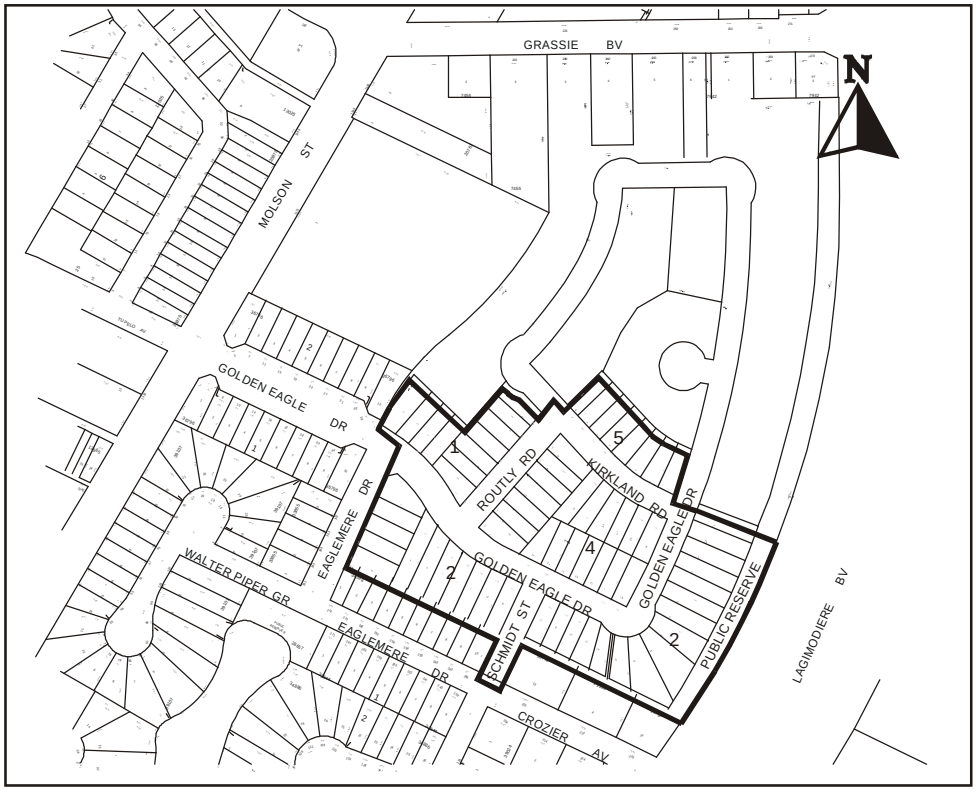
A By-law of THE CITY OF WINNIPEG to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the east side of Eaglemere Drive south of Grassie Boulevard, west of Lagimodiere Boulevard in the EAST KILDONAN-TRANSCONA COMMUNITY.

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 an Addendum to Development Agreement AG 26/88 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.

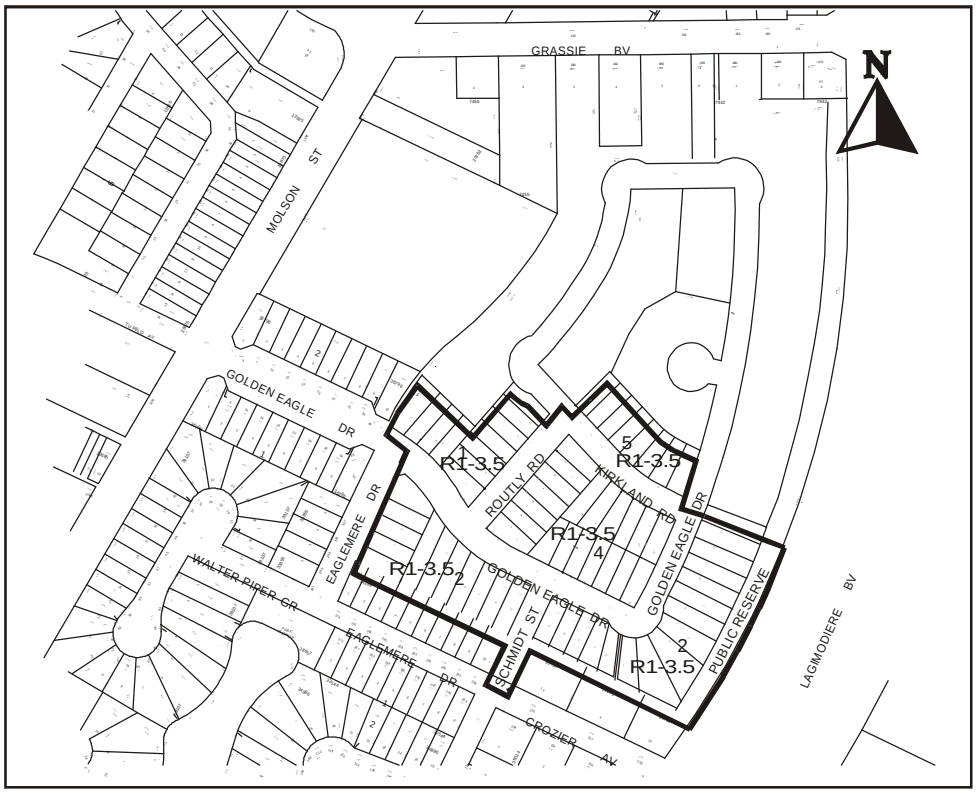


ZONING

2. By-law No. 6400/94, as amended, is hereby further amended by adding thereto after subsection A20 (392) the following:

"(393) (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."

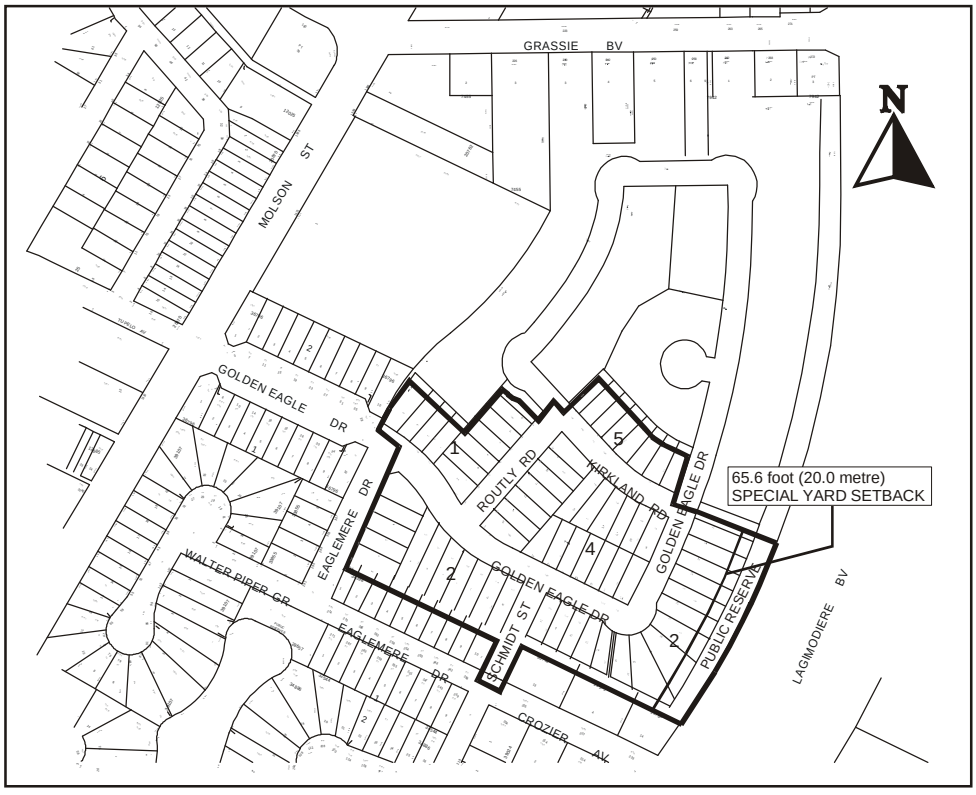


SPECIAL YARDS

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

"1300 (25) RESIDENTIAL LOTS ABUTTING LAGIMODIERE BOULEVARD

(a) Notwithstanding the provisions of subsection (3) residential development along Lagimodiere Boulevard shall provide a minimum rear yard of 65.6 feet (20 metres) to principle dwellings as shown 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 9/03 against the land affected thereby as a first charge, other than any caveat filed by THE CITY OF WINNIPEG or an "Area Municipality" as defined in The City of Winnipeg Charter, any public utilities caveat, or any building restriction caveat registered prior to the date of subdivision and rezoning application DASZ 9/03, by not later than September 24, 2005 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. .....

.....
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 9/03 Atlas Sheet No. W31

By-Law No. _____

Subsection (393)

Atlas Sheet No. **W31**

N

EAST KILDONAN TRANSCONA COMMUNITY

File No. **DASZ 9/03**

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 on the east side of Eaglemere Drive south of Grassie Boulevard from an "A.5" AGRICULTURAL DISTRICT and an "R1-5.5" SINGLE-FAMILY DISTRICT to an "R1-3.5" SINGLE-FAMILY DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____