Minutes - Executive Policy Committee - October 29, 2003

REPORTS

Minute No. 434 Deferment of Local Improvement Charges - 901 and 929 Shaftesbury Boulevard
File SL-3

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Board of Appeal and recommends to Council, namely:

1. That the Local Improvement trunk charges in the amount of $20,040.00 for 901 and 929 Shaftesbury Boulevard be deferred until October 31, 2004, or until the signing of a development agreement pursuant to the Rezoning and Subdivision under File DASZ 2/2002, whichever shall occur first.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

Moved by Councillor Clement,
That the recommendation of the Board of Appeal be concurred in and forwarded to Council.

Carried

BOARD OF APPEAL RECOMMENDATION:

On October 14, 2003, the Board of Appeal recommended to Executive Policy Committee:

1. That the Local Improvement trunk charges in the amount of $20,040.00 for 901 and 929 Shaftesbury Boulevard be deferred until October 31, 2004, or until the signing of a development agreement pursuant to the Rezoning and Subdivision under File DASZ 2/2002, whichever shall occur first.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

BOARD OF APPEAL DECISION:

On October 14, 2003, the Board of Appeal (Local Improvement Assessment Appeals) granted the appeal for the lateral charges in the amount of $12,024.00 for 901 and 929 Shaftesbury Boulevard, inasmuch as the subject property does not benefit from the land drainage improvements in Shaftesbury Boulevard.

Further, the Board of Appeal denied the appeal for the trunk charges in the amount of $20,040.00 for 901 and 929 Shaftesbury Boulevard, as the assessment is considered fair and equitable on the basis that it is consistent with the rules being applied to similar properties throughout the City.

COUNCIL DECISION:

On May 28, 2003, Council adopted the recommendation of its Executive Policy Committee, namely:

1. That the deferments for local improvements on Shaftesbury Boulevard authorized under By-law Nos. 7094/97 and 7095/97 cease, and that the appropriate assessments be reactivated with a requirement for payment to be made in either of the two methods outlined below:

DECISION MAKING HISTORY (continued):

Property	Improvement Type	Cash Payment	Term	Annual Levy
(1)	Land Drainage Sewer	$24,384.00	2002 - 2021	$2,410.10
(2)	Land Drainage Sewer	$ 7,680.00	2002 - 2021	$ 759.09

a. The local improvement may be paid for at the prevailing cash cost up to and including the last day of the month subsequent to that during which the cash cost statement is mailed (immediately pursuant to the passing of the reactivating By-law).

b. First levy(s) payable at par up to and including the last day of the month subsequent to that during which the tax statement is mailed (immediately pursuant to the passing of the reactivating By-law).

The second and all the following levies will be scheduled to appear on the City's normal annual tax bills for the prescribed terms with the usual provisions for prepayment by commutation to apply.

2. That the foregoing reactivations be assessed against Part River Lot 16/17, St. Charles, C.T. 1481206 (929 Shaftesbury) and C.T. C18198 (901 Shaftesbury).

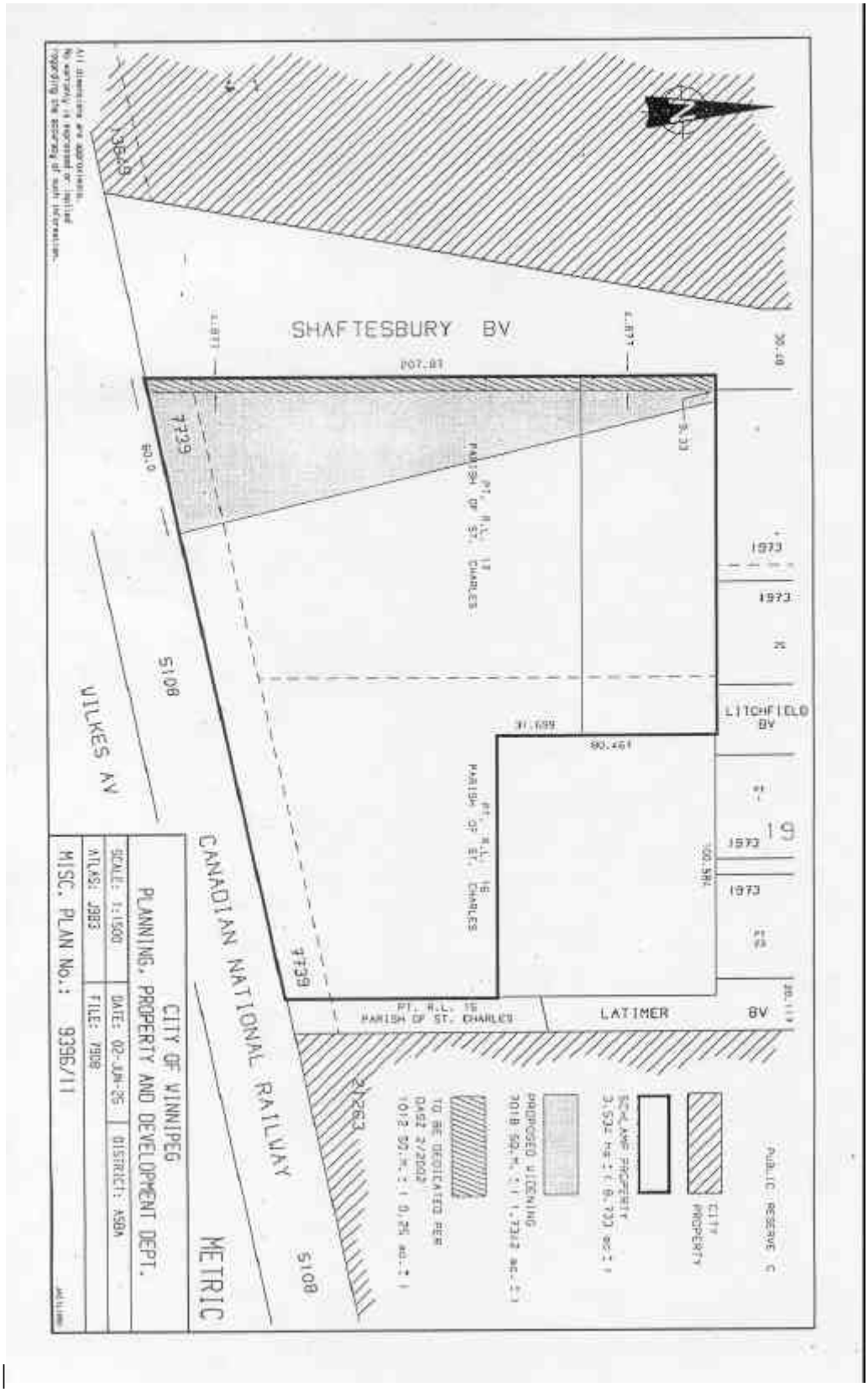
3. That the reactivation By-laws prepared by the City Solicitor/Manager of Legal Services be adopted by City Council.

4. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

On July 23, 1997, Council adopted the recommendation of its Executive Policy Committee, namely:

I. That the Local Improvement charges for Land Drainage Sewer fronting on agricultural as well as residential lands owned by Mr. Schlamp be deferred for five (5) years or until there can be legal registration of a plan of subdivision, even though it does not comply with the conditions for deferment as laid out in the by-law.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.


SHAFTESBURY BV
LITCHFIELD BV
LATIMER BV
WILKES AV
CANADIAN NATIONAL RAILWAY
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
SCALE: 1:1500
DATE: 02-JUN-25
DISTRICT: ASBA
ATLAS: J983
FILE: 7908
MISC. PLAN No.: 9396/11
PT. R.L. 17 PARISH OF ST. CHARLES
PT. R.L. 16 PARISH OF ST. CHARLES
PT. R.L. 15 PARISH OF ST. CHARLES
PUBLIC RESERVE C
CITY PROPERTY
SCHLAMP PROPERTY
PROPOSED WIDENING
TO BE DEDICATED PER
DASZ 2/2002
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