FILE NO. SL-3 (Vol. 13)

THE CITY OF WINNIPEG

BY-LAW NO. 6438/94

A By-law of THE CITY OF WINNIPEG to defer the payment of the special assessment for Local Improvements in respect to certain lands benefitted thereby on Inkster Boulevard.

WHEREAS subsection (1) of Section 389 of The City of Winnipeg Act reads as follows:

"389(1) On the coming into force of a by-law making a special assessment for a local improvement, whether passed before or after the coming into force of this subsection, the Council may, by by-law defer or remit, subject to such terms and conditions as may be prescribed in the by-law, the payment of the whole or part of the special assessment in respect of any land benefitted by the local improvement where, in the discretion of the Council, it is advisable to do so."

AND WHEREAS Council has received application for deferment of the special assessments in respect to land benefitted thereby in respect to the lands hereinafter described;

AND WHEREAS Council deems it advisable to defer such assessment;

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

1. (a) The special assessment for Local Improvements in respect to the land owned by:

JEN-DEN INVESTMENTS LTD.

under Roll No. 12-3-986510, legally described as follows:

LOTS 2/3, PLAN 962 WLTO IN SE 26-11-2 EPM

under the following By-Law:

By-Law No.	Term	Improvement	Annual Levy
5619/91	1991 - 2000	Watermain	$4,325.56

(b) The deferment permitted under this By-Law shall cease upon the occurrence of any of the following:

(i) registration of a plan of subdivision or re-subdivision affecting part or all of the property where deferment has been allowed;

(ii) where part or all of a property enjoying deferment is rezoned permitting a change in land use. The effective date upon which the special assessments shall become due and payable under this clause shall be the day the rezoning permitting a change of land use come in to force and effect under the appropriate by-law;

(iii) any other condition which, in the opinion of Council, would remove or alter the reasons originally advanced to support the deferment, such as a consent to convey a portion of the site to a developer, where a change in land use is contemplated;

(iv) granting of a variance, allowing change in land use. The effective date upon which the special assessment shall become due and payable under this clause shall be the date of the variance order.

2. When the lands herein become subject to special assessments as a result of cessation of deferment, such special assessment shall be levied against the said lands at the then prevailing rates and paid at the prevailing cash cost or amortized at the then current capital borrowing rates.

DONE AND PASSED in Council assembled, this 22nd day of June, A.D. 1994.

(Sgd.) Susan A. Thompson
MAYOR

(SEAL)

(Sgd.) Dorothy Browton
CITY CLERK

Certified as to financial details:

City Treasurer

Certified as to form:

for A/City Solicitor [LI.5/94(1)]