**THE CITY OF WINNIPEG**

**BY-LAW NO. 40/2016**

**A borrowing by-law of THE CITY OF WINNIPEG to authorize the borrowing of money in the amount of up to $ 681,682,000.00 and to rescind certain unused borrowing authority.**

**WHEREAS** Section 294 of *The City of Winnipeg Charter* provides, in part, as follows:

> "294(1) Subject to subsection (2), council may pass by-laws enabling the city to borrow money in such manner, in such amounts, and on such security as council may consider necessary for any purpose for which the city is authorized to make provision, including, without limiting the generality of the foregoing, borrowing money required for local improvements.
>
> 294(2) Before council gives second reading to a by-law under subsection (1), the city must apply for and obtain the approval of the Minister of Finance for the borrowing under the proposed by-law.
>
> 294(3) An application for approval under subsection (2) must specify the principal amount to be borrowed and give a general description of the objects for which the amount will be used, but it is not necessary to specify in the application
>
> (a) the manner of borrowing;
>
> (b) the particulars of any proposed securities to be issued in respect of the borrowing; or
>
> (c) the rate of interest payable on the amount or the term within which it is repayable.
>
> 294(4) In dealing with an application made under this section, the Minister of Finance must consider only the financial position of the city and must
>
> (a) approve the application in whole or in part or subject to terms and conditions, including specifying the time within which the amount to be borrowed is to be repayable; or
>
> (b) refuse to approve the application."

**AND WHEREAS** THE CITY OF WINNIPEG (hereinafter referred to as “the City”) considers it necessary during the year 2016 and subsequently, to borrow money in the amount of up to $681,682,000.00 on the security of debentures or other city securities for the purpose of making capital expenditures in connection with the following:

| | |
|---|---|
| Tax-supported operations | up to $14,800,000.00 |
| Utility operations, including Transit Fund | up to $587,050,000.00 |
| Waverley Street Underpass at CN Mainline (Rivers) Grade Separation | up to $63,332,000.00 |
| Southwest Rapid Transitway (Stage 2) and Pembina Highway Underpass Project | up to $16,500.000.00 |

**AND WHEREAS** the City passed borrowing By-laws No. 183/2004, 32/2007, 219/2007, 23/2013 and 5/2015;

**AND WHEREAS** certain of the monies authorized to be borrowed under said By-laws No. 183/2004, 32/2007, 219/2007, 23/2013 and 5/2015 are not now required for the purposes specified in those by-laws and it is considered expedient and in the public interest that those unused borrowing authorizations be rescinded;

**AND WHEREAS** after the first reading and before the second reading

**AND WHEREAS** after the first reading and before the second reading of this borrowing by-law, its enactment received the authorization of the Minister of Finance;

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

1 For the purposes and objects of the City specified in this by-law, money in the principal amount of up to $681,682,000.00 may be borrowed during the year 2016 and subsequently on the credit of the City by the issue and sale of debentures of the City, or by the issue of such other city securities as may be determined by the Chief Financial Officer.

2 Pending the issue of the debentures or other city securities, the City may agree with a bank or person for temporary borrowing from time to time to meet expenditures incurred for the purposes stated in this by-law.

3. The following by-laws are hereby amended by subtracting the following amounts from the amounts authorized to be borrowed:

| | |
|---|---|
| By-Law No. 183/2004 | $ 4,025,000.00 |
| By-Law No. 32/2007 | $ 600,000.00 |
| By-Law No. 219/2007 | $17,375,000.00 |
| By-Law No. 23/2013 | $19,858,000.00 |
| By-Law No. 5/2015 | $16,571,000.00 |

For greater certainty, a total amount of $58,429,000.00 of unused borrowing authority is hereby rescinded.

**RECEIVED FIRST READING** on the 22nd day of March, 2016;

**AUTHORIZATION OF THE MINISTER OF FINANCE RECEIVED** on the 5th day of April, 2016;

**RECEIVED SECOND READING** on the 27th day of April, 2016

**RECEIVED THIRD READING AND PASSED** on the 27th day of April, 2016

**DONE AND PASSED**, in Council assembled, this 27th day of April, 2016.

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Mayor

_____
City Clerk

Approved as to financial details:

_____
Chief Financial Officer

Approved as to form:

_____
for Director of Legal Services and
City Solicitor