

This document is an office consolidation of by-law amendments which has been prepared for the convenience of the user. The City of Winnipeg expressly disclaims any responsibility for errors or omissions.

CONSOLIDATION UPDATE: JANUARY 25, 2006

THE CITY OF WINNIPEG

MULTIPLE FAMILY DWELLING GRANT BY-LAW
NO. 8060/2002

**A By-law of THE CITY OF WINNIPEG to
establish a program of grants to encourage
and assist in the construction and renovation
of multiple family dwellings in designated
areas in the City of Winnipeg.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:
amended 8162/2002

1. This by-law shall be referred to as the **"Multiple Family Dwelling Grant By-law"**.
2. In this by-law,

"Base Year" means the calendar year in which the project was approved;
added 19/2006

"Building Permit" means a permit granted under The Winnipeg Electrical By-law
or The Winnipeg Building By-law;

"CentreVenture" means CentreVenture Development Corporation, a corporation without
share capital, incorporated July 9, 1999 under *The Corporations Act* of Manitoba for the
purposes of promoting and fostering economic, residential, and cultural growth and
development in the Downtown district of the City;
added 19/2006

"City" means The City of Winnipeg;

"Council" means the Council of the City;

"Director" means the Director of the Planning, Property and Development Department;

"Downtown" means the geographic area of the City identified and approved by Council as the CentreVenture Mandated Area;
added 65/2003

"Dwelling Unit" means one or more rooms used or intended to be used as a single housekeeping unit with cooking, eating, living, sleeping and sanitary facilities;

"Incremental Municipal Taxes" means the residential portion of the municipal taxes imposed on the land on which an approved project is located in each of the five applicable years immediately following completion of the construction of the approved project less the municipal taxes which would have been imposed on the said land in the Base Year if the project had not been approved;
added 19/2006

"Major Improvement Neighbourhoods" means those areas identified as Major Improvement Neighbourhoods in Plan Winnipeg;

"Multiple Family Dwelling" means a building containing at least three non-communicating dwelling units, each for the exclusive use by one family;

"Property Owner" means a person who is the registered owner under The Real Property Act of land on which a project is to be constructed pursuant to this by-law, or the grantee thereof in a valid conveyance registered under The Registry Act, or an agent of either such owner.
amended 8162/2002

"Rehabilitation Neighbourhoods" means those areas identified as Rehabilitation Neighbourhoods in Plan Winnipeg;

"Standing Policy Committee" means the Standing Policy Committee on Downtown Development if the project is located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law or the Standing Policy Committee on Property and Development if the project is not located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law.
added 19/2006

3. Total grants are available under this by-law to a maximum of Three Million (\$3,000,000.00) Dollars as funds are made available from the Multiple Family Dwelling Tax Investment Reserve Fund.

4. To be eligible for a grant, an applicant must be the property owner or entitled to be the property owner of the land on which the project is to be constructed at all times until the eligible project is completed.

amended 8162/2002

5. In this by-law, "eligible construction costs" means costs directly associated with the project being constructed on the land, including the following costs:

- (a) site preparation, including land clearing and earth moving;
- (b) land drainage and sanitary sewer and water systems;
- (c) landscaping, lighting, road and parking improvements;
- (d) building construction, including excavation and laying foundations, erection of structural framework, floors, walls and roofs; and
- (e) building systems, including fire protection, electrical, plumbing, air conditioning and heating.

6. In order to be eligible for a grant under this by-law:

- (a) the project must involve:
 - (i) the construction or renovation of a multiple family dwelling in a Major Improvement Neighbourhood, a Rehabilitation Neighbourhood or on a property with frontage on either side of a street the centre line of which functions as a boundary for a Major Improvement Neighbourhood or a Rehabilitation Neighbourhood, and the project must not be receiving any other grant, or any loan, tax rebate or tax credit from the City; or

- (ii) the construction or renovation of a multiple family dwelling in the Downtown or on a property with frontage on either side of a street the centre line of which functions as a boundary for the Downtown, and the project must not be receiving any tax rebate or tax credit from the City;

and

- (b) on the date By-law No. 8060/2002 was passed, the location of the project must:
 - (i) be a vacant site or boarded building located in a Major Improvement Neighbourhood, a Rehabilitation Neighbourhood or on a property with frontage on either side of a street the centre line of which functions as a boundary for a Major Improvement Neighbourhood or a Rehabilitation Neighbourhood; or
 - (ii) be a vacant site, boarded building or a building that was not wholly in residential use in the Downtown or on a property with frontage on either side of a street the centre line of which functions as a boundary for the Downtown.

amended 65/2003

7. In order for a grant to be provided:

- (a) the applicant must make application for the multiple family dwelling grant to the Director in a form determined by the Director and shall provide any information, documentation or verification that the Director may require, including a building permit;
- (b) all outstanding taxes, utility charges or rates of any nature whatsoever which have become due to the City must be paid in full prior to the approval of an application;
- (c) construction on the eligible project must be commenced within one year after an application for a grant has been approved pursuant to this by-law;
- (d) the eligible project must be completed within five years of the date of approval of the grant pursuant to this by-law;
- (e) the applicant must submit proof of the completion of the eligible project and must submit invoices for the amount expended for the eligible project with proof of payment within five years of the date of approval of the grant;

- (f) the applicant must allow the Director a reasonable opportunity to inspect the completed project; and
 - (g) the applicant must provide such information, documentation or verification as the Director may require from time to time to confirm continuing eligibility.
- 8. When a proposed project has been approved, the applicant shall be required to:
 - (a) enter into a written agreement with the City;
 - (b) submit all costs and work plans;
 - (c) *repealed 19/2006*
 - (d) complete the project as set out in the application and pay all invoices, bills and costs related thereto to the satisfaction of the Director; and
 - (e) provide any other information as may be required by the Director;prior to the grant or any portion thereof being released to the applicant.
- 9. Applications will be received on a first-come, first-served basis.
- 10. All applications must comply with the following:
 - (a) the proposed project must conform with all applicable provisions of the City's zoning and building by-laws, and with any applicable design approval process; and
 - (b) construction of the proposed project must not be commenced prior to approval of the grant.
- 11(1) The maximum grant for an approved project will be equal to the lesser of the following two calculations:
 - (a) 10% of the eligible construction costs to a maximum of Two Hundred and Fifty Thousand (\$250,000.00) Dollars; or

- (b) the total amount of Incremental Municipal Taxes imposed in the five years immediately following completion of the approved project.
- 11(2) Notwithstanding subsection (1), if there is an existing boarded principal building or buildings located on the land on which the approved project is to be located, then an additional grant of Ten Thousand (\$10,000.00) Dollars will be provided for each such existing boarded principal building to a maximum of Fifty Thousand (\$50,000.00) Dollars provided that the total amount of the Incremental Municipal Taxes for the five-year period immediately following completion of the approved project is at least equal to the amount of the grant otherwise approved plus the additional grant.
amended 19/2006
- 12. Subject to section 8, the grant shall be released to the applicant in the form of annual payments for up to five years beginning the year immediately following the year in which Incremental Municipal Taxes were imposed.
amended 19/2006
- 13. All projects must be commenced within one year of being approved and all construction must be completed to the satisfaction of the Director within five years of being approved.
- 14. The following costs will be included in calculating the eligible construction costs:
 - (a) materials;
 - (b) contractor labour;
 - (c) retail sales tax;
 - (d) goods and services tax;
 - (e) drafting plans;
 - (f) architectural plans;
 - (g) applicable permit fees; and
 - (h) inspection fees.

- 15(1) Subject to subsection (2), if an applicant wishes to sell or transfer title to the property prior to any substantial amount of work having been completed on the property pursuant to an approved project, any approved grant which has not been released to the applicant is not transferable and will be cancelled.

added 8162/2002; amended 65/2003

- 15(2) If the Standing Policy Committee so approves and if the new property owner agrees to assume all obligations of the applicant as hereinbefore set out, the approved grant may be transferred to the new property owner.

amended 8162/2002; 19/2006

- 15(3) At the option of the applicant, the grant or any portion thereof to which the applicant would otherwise be entitled may be assigned as security for gap financing provided by CentreVenture in accordance with the terms of the agreement entered into between the City and CentreVenture for that purpose.

added 19/2006

- 15(4) No other assignment shall be permitted unless approved by the Standing Policy Committee.

added 19/2006

- 15.1 The Director may take steps to administer and enforce this by-law and any decisions made shall be made in accordance with *The City of Winnipeg Charter*.

added 8162/2002

- 15.2 Any decisions made by the Standing Policy Committee or the Director shall be given to the applicant by delivering a copy of the decision to the applicant or the agent of such applicant or by sending a copy of the decision to the applicant or the agent of such applicant, addressed to the person's address as provided in the applicant's application, in accordance with *The City of Winnipeg Charter*.¹

added 8162/2002; 19/2006

- 15.3 Any decisions made by the Director may be appealed by an aggrieved applicant in accordance with *The City of Winnipeg Charter*² to the Standing Policy Committee.

added 8162/2002; amended 19/2006

16. *repealed 8162/2002*

17. *repealed 8162/2002*

18. *repealed 8162/2002*

19. *repealed 8162/2002*

20. *repealed 8162/2002*

21. *repealed 8162/2002*

22. *repealed 8162/2002*

23. *repealed 8162/2002*

24. This by-law takes effect on the day it is passed and shall expire three years after the day it is passed, unless, in the third year, it is reviewed and extended by Council.

DONE AND PASSED in Council assembled, this 22nd day of May, 2002.

1 [See sections 116 and 117 of *The City of Winnipeg Charter* for information about how to serve orders, decisions and other documents.](#)

2 [See sections 189 and 121 of *The City of Winnipeg Charter* for information about appeals, including information about the time limit for appeals and how appeals are to be filed.](#)