THE CITY OF WINNIPEG

BY-LAW NO. 149/2009

A By-law of THE CITY OF WINNIPEG to amend the Downtown Multiple Family/Mixed Use Building Grant Program By-law

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

1 *The Downtown Multiple Family/Mixed Use Building Grant Program By-law No. 123/2007 is amended by this by-law.*

2 *Section 2 of the By-law is amended by*

(a) repealing the definition of **"conversion"** *in section 2 and substituting the following:*

"conversion" means

(a) a change in the assessment designation of a property to Residential 2 or Residential 3 from an assessment designation other than Residential 2 or Residential 3;
(b) a change in the zoning of a property from one for which the use as a multiple family residential building or mixed use building was not permitted, approved or allowed as a non-protected conformity or otherwise by the City to one for which the use as a multiple family residential building or mixed use building is permitted, approved or allowed as a non-protected conformity or otherwise by the City; or
(c) a change in the actual use of a property from other than as a multiple family residential building or mixed use building to one as a multiple family residential building or mixed use building;

(b) striking out everything after "Residential 3" *in the definition of* **"multiple family residential building"**;

(c) adding "**less any tax credits applied by the City pursuant to a by-law**" *immediately after* "Charter" *in the definition of* **"real property taxes"***;*

(d) adding the following definition in alphabetical order:

"Residential 1", **"Residential 2"** and **"Residential 3**", when referring to assessment classifications, have the same meaning as in the *Classification of Property and Portioned Values Regulation,* Manitoba Regulation 184/98;

3 *Clause 4(d) of the By-law is amended by repealing (ii) and substituting the following:*

(ii) redevelopment of an existing multiple family residential or mixed use building the residential portion of which
(A) has been vacant for 12 months prior to the date of the first application for a building permit pursuant to the Winnipeg Building By-law; or

(B) is vacant at the time of the first application for a building permit and in respect of which a health hazard order has been issued under The Public Health Act or a compliance order has been issued pursuant to Schedule A of the Vacant and Derelict Buildings By-law, section 12 of the Building By-law or Parts 1 or 2 of the Neighbourhood Liveability By-law, which order has not yet been complied with and compliance with which reasonably requires that the property be vacant;

4 *Clause 4(d) of the By-law is amended by adding the following after (iii):*

(iv) the addition of developed living space to an existing building which either results in the addition of one or more dwelling units in an existing multiple family residential or mixed use building or which creates a new multiple family residential or mixed use building.

DONE AND PASSED, this day of , 2009.

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Mayor

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City Clerk

Approved as to content:

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Director of Planning, Property and Development

Approved as to form:

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For Acting City Solicitor/Manager of Legal Services