THE CITY OF WINNIPEG

BY-LAW NO. 61/2011

A By-law of THE CITY OF WINNIPEG to amend the Downtown Residential Development Grant Program By-law

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

1 *The Downtown Residential Development Grant Program By-law No. 77/2010 is amended by this by-law.*

2 *Section 2 is amended by adding the following after "***addition to a building***" in the definition of "***building permit***":*

"and includes a permit issued pursuant to The Winnipeg Building By-law for any aspect or stage of the project"

3 *Section 2 is amended by adding the following in alphabetical order:*

""bedroom" is defined as a room within a dwelling unit that is no smaller than 5.6 square meters and meets the standards of The Winnipeg Building Code for a bedroom;"

4 *Subsection 4(4) is amended by substituting the following table for the table that follows "***for condominiums:***":*

	CONDOMINIUMS			
Amount per Dwelling Unit	**$40,000**	**$35,000**	**$30,000**	**$25,000**
	Assessed Value per Dwelling Unit (in thousands of dollars)			
Bachelor or Studio less than 650 square feet	$0-$150	$151-$185	$186-$220	$221-$255
Bachelor or Studio of 650 square feet or more or 1 bedroom	$0-$175	$176-$215	$216-$255	$256-$300
2 bedroom	$0-$215	$216-$265	$266-$305	$306-$350
3 bedroom or more	$0-$250	$251-$300	$301-$350	$351-$400

*and by substituting the following table for the table that follows "***for apartment buildings:***":*

	APARTMENT BUILDINGS			
Amount per Dwelling Unit	**$40,000**	**$35,000**	**$30,000**	**$25,000**
	Rent per month per Dwelling Unit			
Bachelor or Studio less than 650 square feet	$0-$500	$501-$550	$551-$625	$626-$750
Bachelor or Studio of 650 square feet or more or 1 bedroom	$0-$655	$656-$730	$731-$830	$831-$955
2 bedroom	$0-$880	$881-$955	$956-$1,080	$1,081-$1,205
3 bedroom or more	$0-$1,100	$1,101-$1,225	$1,226-$1,350	$1,351-$1,475

5 *Subsection 4(7) is amended by:*

*(a) striking "***and***" at the end of clause (a);*

(b) substituting "; and*" for "**.**" at the end of clause (b); and*

(c) adding the following after clause (b):

"(c) the properties continue to be valued on the sales comparison approach as condominium properties and not on the income approach as apartment building properties by the Assessment and Taxation Department of the City."

6 *Section 4 is amended by adding the following subsections after subsection (7):*

"(7.1) Where the grant is treated as a loan pursuant to subsections (6) or (7), the City shall be entitled to register a caveat or mortgage against the title of the eligible property respecting the loan agreement.

(7.2) Where the grant is treated as a loan pursuant to subsections (6) or (7), the applicant shall be required to maintain such insurance coverage in respect of the eligible property as is satisfactory to the City Solicitor."

7 The following subsection shall be added after subsection 6(2):

"6(3) The applicant shall pay a non-refundable fee of $500 every time the application is amended."

8 *Subsection 7(1) is amended by:*

*(a) striking out "**and**" at the end of clause (c);*

(b) substituting "; and*" for "." at the end of clause (d); and*

(c) adding the following after clause (d):

"(e) the applicant has paid a one-time application fee of $5,000, which shall be refundable to the applicant at the time of the first grant payment."

9 *Subsection 7(4) is amended by:*

*(a) striking out "***and***" at the end of clause (b);*

(b) *substituting ";* and" for "**.**" at the end of clause (c); and

(c) *adding the following after clause (c):*

"(d) if the applicant has failed to pay the deposit as set out in subsection 7(5)."

10 *Section 7 is amended by adding the following after clause (4):*

"(5) The applicant must pay to the City a deposit of $300 per dwelling unit upon which the maximum grant is to be calculated in accordance with subsection 4 (4), within ninety (90) days of the date of conditional approval as set out in section 7. Each deposit of $300 will be refunded to the applicant 12 months after the date of conditional approval as set out in section 7 provided that the conditional approval has not expired or been terminated."

DONE AND PASSED, this 27th day of April, 2011.

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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 City Solicitor/Director of Legal Services