THE CITY OF WINNIPEG

BY-LAW NO. /2024

A By-law of THE CITY OF WINNIPEG to establish
the Community and Neighbourhood Grant Program

WHEREAS Council of the City of Winnipeg wishes to create a grant program with certain operating budget funding in order to better align with the City's adopted Strategic Priorities under the 2022-2026 Strategic Priorities Action Plan and Our Winnipeg to start in the 2025 budget process;

AND WHEREAS section 219 of *The City of Winnipeg Charter* provides that Council may establish grant programs by by-law;

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

PART 1 – INTRODUCTORY PROVISIONS

Short title

1 This By-law may be cited as the "Community and Neighbourhood Grant Program By-law".

Definitions

2 The following definitions apply in this By-law:

"applicant" means an organization who has applied for a CNGP grant under this By-law;

"approval", unless otherwise stated, means an approval by the Chief Administrative Officer of an application for a Community and Neighbourhood Grant under this By-law, and "**approved**", in respect of an application has a corresponding meaning.

"Charter" means *The City of Winnipeg Charter*, S.M. 2002, c.39.

"Chief Administrative Officer" means the Chief Administrative Officer of the City and includes anyone acting in that capacity.

"CNGP" means Community and Neighbourhood Grant Program.

"grant" means a grant issued pursuant to this By-law.

"City" means The City of Winnipeg continued under section 8 of the Charter.

"Council" means the Council of the City.

"designated employee" means the Chief Administrative Officer or an employee of the City who has been designated in writing by the Chief Administrative Officer to exercise some or all of the powers given to the Chief Administrative Officer as the designated employee under this By-law.

"Evaluation Committee" means the CNGP Application Evaluation Committee established by this By-law.

"funding streams" has the meaning ascribed to it at subsection 4(1).

"non-profit organization" means a club, society, association, or corporation that conducts business for the benefit of the general public without shareholders and without a profit motive. Any profit that is made is used to further the goals or undertaking of the organization. Profits are not used by the individuals involved for their own personal financial gain.

"OurWinnipeg" means the OurWinnipeg By-law No. 120/2020, and any amendments made thereto.

"project" means a project, program, initiative or event proposed by an applicant for a CNGP grant.

"SPAP" means Council's Strategic Priorities Action Plan and any amendments made thereto.

PART 2 – COMMUNITY AND NEIGHBOURHOOD GRANT PROGRAM

Program established

3 The program for the distribution and administration of grants to be provided in accordance with this by-law is hereby established as the "Community and Neighbourhood Grant Program".

Funding streams

4(1) A applicant may be approved for a grant under one of the following funding streams (referred to herein as the "funding streams"):

(a) **Environmental / Green City**. Funding under this stream may be approved for projects with a focus on climate resiliency, renewable energy, waste diversion, protecting and growing the urban forest;

(b) **Recreation**. Funding under this stream may be approved for projects that improve access to library and recreation services;

(c) **Community Well-being**. Funding under this stream may be approved for projects that promote safety and the well-being of residents, and services that are more available, accessible and affordable to those who need it most; and

(d) **Arts and Culture**. Funding under this stream may be approved for projects concerning the protection, preservation and promotion of the inherent value of the arts, cultural, built and natural heritage resources.

4(2) Applicants may only apply for a CNGP grant under one of the funding streams.

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Eligibility requirements

5(1) In order to qualify for consideration of a CNGP grant, the applicant must

(a) be a non-profit organization and provide confirmation of its status as such;

(b) propose a project that is located or takes place within the boundaries of the city of Winnipeg;

(c) complete a grant application using the form prescribed by the Evaluation Committee and submit it during the dates established by the Evaluation Committee for this purpose. All information required by the application form and by this By-law must be provided in order for the application to be complete;

(d) clearly identify the funding stream that it is applying under;

(e) identify clear objectives, targets, and anticipated outcomes for the project for which a grant is sought, supported by a business plan or board approval of the grant application; and

(f) provide any financial information required by the Evaluation Committee. The Evaluation Committee may require that the financial statements be audited or reviewed. The report form is dependent on the revenue of the applicant and/or the amount of the grant requested;

5(2) The Evaluation Committee may impose additional eligibility requirements that are consistent with this By-law, including but not limited to requirements for further information to be provided by applicants or quotes from contractors.

Ineligible for grant

6(1) The following are ineligible and will not be funded by the CNGP:

(a) Annual operating costs or positions, including but not limited to salaries, wages, insurance, utilities, rent or debt;

(b) Expenses that are not related to specific project outcomes or objectives;

(c) Expenses incurred prior to the date of grant approval;

(d) Projects that are located or take place outside the boundaries of the city of Winnipeg.

6(2) An applicant is not eligible to receive more than one CNGP grant in a calendar year.

Application

7(1) Incomplete applications must not be considered for a CNGP grant. An application is not complete until all information reasonably required in order to review the application has been provided.

7(2) The application must be made on a form or in a format approved by the Chief Administrative Officer.

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Evaluation Committee

8(1) A CNGP Evaluation Committee is hereby established, consisting of

(a) the Chief Administrative Officer or their delegate, as Lead of the Evaluation Committee;

(b) the Chair of the Standing Policy Committee on Community Services;

(c) the Chair of the Standing Policy Committee on Public Works;

(d) the Director of the Water and Waste Department or their delegate; and

(e) the City Clerk or their delegate.

8(2) The Evaluation Committee is authorized to

(a) establish a process by which applicants can apply for CNGP grants on an annual basis, including dates during which applications must be received;

(b) establish a process for evaluating applications for CNGP grants; and

(c) make recommendations to the Chief Administrative Officer concerning the approval or rejection of the applications and the amount of the grants in accordance with this By-law.

Evaluation criteria

9(1) The Evaluation Committee must use the following criteria when evaluating applications for CNGP grants:

(a) The clarity and reasonableness of the applicant's objectives, targets and outcomes for the grant, supported by a business plan or applicant's board approval of the grant application;

(b) Consistency of the objectives, targets and outcomes with the funding stream applied under;

(c) The extent to which the application demonstrates that the project for which the grant is sought aligns with at least one of the Council priorities noted in the SPAP;

(d) The extent to which the application demonstrates that the project for which the grant is sought aligns with at least one of the OurWinnipeg goals; and

(e) The extent to which the grant is necessary for the project to be successful.

9(2) In evaluating applications, the Evaluation Committee may interpret and apply the criteria set out in subsection (1) and determine an appropriate weight to be placed on each of the criteria set out in subsection (1).

9(3) When considering an application, the Evaluation Committee may have discussions with the applicant about the amount of grant to be provided with a view to maximizing the benefits of the Grant to the City.

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9(4) The Evaluation Committee is not required to process or approve applications in the order in which they were received and may give priority to those expected to have a greater impact in addressing the Council priorities noted in the SPAP and OurWinnipeg goals.

Approval of grants

10(1) The Chief Administrative Officer is authorized to approve CNGP grants on condition that decisions respecting approvals must be made only after consultation with the Evaluation Committee.

10(2) Not all projects which meet the eligibility criteria in subsection 4(1) must be approved.

10(3) The CNGP grants are to be approved by the Chief Administrative Officer on an annual basis. Each grant may be approved for a one-year term.

Amount of grants

11(1) The Chief Administrative Officer may not authorize the issuance of grants exceeding in aggregate the funds allocated by Council for the CNGP.

11(2) A CNGP grant will be approved in an amount deemed appropriate by the Chief Administrative Officer. The Chief Administrative Officer may approve a grant in an amount other than that requested by the applicant in its application.

Agreement requirements

12(1) A CNGP grant of up to $10,000 may be issued to an applicant without a grant agreement being entered into by the applicant.

12(2) For a CNGP grant of $10,001 to $25,000, the Chief Administrative Officer is to provide a letter to the applicant that sets out any terms and conditions of the grant. The applicant is not required to enter into a formal grant agreement or to provide financial statements as part of any reporting obligations that may be imposed on the applicant.

12(3) For a CNGP grant of $25,001 to $100,000, the applicant must enter into a grant agreement with the City, in a form required by the City, that reflects this By-law and such other terms and conditions deemed necessary by the City Solicitor to protect the interests of the City. The applicant is required to provide an internally prepared financial statement as part of the reporting obligations that may be imposed on the applicant.

12(4) For a CNGP grant of $100,001 or more, the applicant must enter into a grant agreement with the City, in a form required by the City, that reflects this By-law and such other terms and conditions deemed necessary by the City Solicitor to protect the interests of the City. The applicant is required to provide a designated accountant reviewed financial statement as part of the reporting obligations that may be imposed on the applicant.

12(5) The Chief Administrative Officer is authorized to negotiate and approve the contents, terms and conditions of the documents outlined in this section, as applicable.

Conditions on grants

13(1) It is a condition of any CNGP grant authorized that

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(a) if required under section 12, the applicant must enter into a grant agreement with the City in respect of the grant, in a form acceptable to the Director of Legal Services and City Solicitor to protect the interests of the City;

(b) the project must be initiated and substantially completed within one (1) year of the approval date of a CNGP grant;

(c) prior to commencement of the project, evidence of insurance satisfactory to the City's Risk Management Division in the Corporate Finance Department must be provided;

(d) the project must proceed as approved by the Chief Administrative Officer. Any revisions to a project must receive the prior approval of the Chief Administrative Officer;

(e) upon completion of the project, a final inspection of the project may be carried out by the City;

(f) for construction related projects, any project undertaken on property owned by the City becomes the property of the City;

(g) the applicant may be required to provide periodic reporting or other evidence satisfactory to the City Auditor to verify that the project was undertaken as planned and that the CNGP grant was expended solely for the intended purpose;

(h) the project must be carried out in compliance with all City policies and procedures, codes, laws, by-laws and regulations; and

(i) any required permits, licenses, consents and other authorizations as may be required to permit the carrying out of the project must be obtained by the applicant or its agent prior to the commencement of any activity whatsoever.

13(2) In addition to the conditions outlined in subsection (1), the Chief Administrative Officer is authorized to impose additional conditions on any CNGP grant issued.

Payment of grant

14 The Chief Administrative Officer is authorized to determine dates or points during projects at which grants are payable.

PART 3 – ADMINISTRATIVE PROVISIONS

Chief Administrative Officer may designate employee

15 The Chief Administrative Officer may, in writing, designate a City employee as a designated officer for the purposes of administering and enforcing this By-law or any part of it.

Powers of designated officer

16(1) The designated officer has the powers of a “designated employee” under the Charter for the purposes of administering and enforcing this By-law.

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16(2) In addition to the powers expressly or impliedly given to the designated employee by this By-Law, the designated employee may exercise such reasonable powers in order to administer and enforce this By-Law.

Appeal

17(1) Any appeal in respect of decisions made pursuant to this By-law that is authorized by the Charter may be made to a hearing body consisting of

(a) the Chief Financial Officer of the City;

(b) the Corporate Manager of Financial Planning and Review;

(c) the Director of Community Services; and

(d) the Director of Transit;

or their delegates.

17(2) The Chief Financial Officer of the City or their designate shall serve as the Chair of the hearing body referred to in subsection (1).

17(3) The hearing body referred to in subsection (1) shall sit in panels of three members selected by the Chair.

17(4) The hearing body may adopt rules of practice and procedure.

Administration fee for appeals

18(1) Subject to subsections (2) and (3), an administration fee of $250.00 is hereby imposed for an appeal made under section 17.

18(2) An appeal may not be accepted by the City Clerk until the fee imposed by subsection (1) has been paid to the City Clerk.

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18(3) The appeal body hearing the appeal may order the administration fee referred to in subsection (1) to be refunded to the appellant if the appeal has been made in good faith and has some merit.

DONE AND PASSED this day of , 2024.

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Mayor

_____
City Clerk

Approved as to content:

_____
Chief Financial Officer

Legally reviewed and certified as to form:

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for Director of Legal Services / City Solicitor

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