THE CITY OF WINNIPEG

BY-LAW NO. 138/2024

A By-law of THE CITY OF WINNIPEG to amend the Housing Accelerator Fund Capital Grant Program.

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

The Housing Accelerator Fund Capital Grant Program By-law amended

1 The Housing Accelerator Fund Capital Grant Program By-law No. 64/2024 is amended by this By-law.

Description Amended

2 The description of the Housing Accelerator Fund Capital Grant Program By-law is replaced with the following:

A By-law of THE CITY OF WINNIPEG to establish and implement the Housing Accelerator Fund Grant Program.

Section 1 amended

3 Section 1 is amended to delete the word "*Capital*".

Definitions amended

4 In Section 2,

(a) the definition of "affordable housing" is amended to delete "*subsections 4(2) and 4(3)"* and to replace it with *"section 4".*

(b) the definition of "Affordable Housing Projects Grant" is amended to move the definition of "approval" into a separate paragraph after the definition of "Affordable Housing Projects Grant" as follows:

"Affordable Housing Projects Grant" *means the grant described in clause 4(2)(b) herein.*

"approval"*, unless otherwise stated, means the approval of a grant application made under this By-law, and "approved" has a corresponding meaning.*

(c) the following definitions are added alphabetically:

"eligible costs" *means the costs described in subsection 4.1(3) herein.*

"lease", "leased" *or* ***"lessee"*** *means where a person or organization holds a lease agreement that gives them the right to occupy a property for a period of at least 25 years, or such other term as may be approved by the Chief Administrative Officer.*

"Predevelopment Grant" *means the grant described in subsection 4(4) herein.*

Part 2 title mended
5 The Part 2 title is amended to delete the word "CAPITAL".

Section 3 amended
6 Section 3 is amended to delete the word "*Capital*".

Subsection 4(1) amended
7 Subsection 4(1) is amended to

(a) delete the word "*Capital"*, and

(b) delete *"an initial"* and replace it with *"a".*

Subsection 4(2) amended
8 Subsection 4(2) is amended to add *"or lessee"* after the word "owner".

Subclause 4(2)(a)(ii) amended
9 Subclause 4(2)(a)(ii) is amended to add *"or leased"* after the word "owned".

Subclause 4(2)(a)(v) amended
10 Subclause 4(2)(a)(v) is amended to add *"being rented"* after the word "units".

Subclause 4(2)(b)(i) amended
11 Subclause 4(2)(b)(i) is amended to add *"or leased"* after the word "owned".

Subclause 4(2)(c)(ii) amended
12 Subclause 4(2)(c)(ii) is amended to add *"or leased"* after the word "owned".

Subsection 4(3) amended
13 Subsection 4(3) is amended to add *"or lessee"* after the word "owner".

Section 4.1 added
14 Section 4.1 is added after subclause 4(3)(d)(ii) as follows:

Predevelopment Grant
4.1(1) *In addition to a grant outlined in section 4, a grant may be paid for the predevelopment costs of an approved property (referred to herein as a "Predevelopment Grant") to*

(a) a lessee of an approved property that is owned by the City, or

(b) an owner who has purchased an approved property from the City via the City's Land Enhancement Office to accomplish Housing Accelerator Fund objectives.

4.1(2) *A Predevelopment Grant may only be paid for an approved property that also meets the criteria for a grant under section 4.*

4.1(3) *The following are eligible costs and that may be funded by the Predevelopment Grant:*

(a) engineering studies and services,

(b) development application fees,

(c) architectural services,

(d) riverbank stabilization works,

(e) environmental site assessments,

(f) Geotech reports,

(g) land surveys,

(h) quantity surveyors,

(i) preliminary design,

(j) financial modeling and proforma development,

(k) municipal infrastructure, and

(l) other costs that have been approved by the Chief Administrative Officer in writing before being incurred.

4.1(4) *The following are ineligible costs that are not funded by the Predevelopment Grant:*

(a) operational expenses,

(b) non-development related studies

(c) contingency funds,

(d) marketing and promotional expenses,

(e) financing costs,

(f) existing property maintenance,

(g) legal costs,

(h) any other costs that are not eligible costs.

Subsection 5(1) replaced

15 Subsection 5(1) is deleted entirely and is replaced with:

5(1) *The total award of all grants under the Housing Accelerator Fund Grant Program shall not exceed such amounts as may be approved by Council for the Housing Accelerator Fund Grant Program.*

Subsection 5(2) amended

16 Subsection 5(2) is amended to delete *"subsections 4(2) and 4(3)"* and replace it with *"section 4".*

Subsection 5(3) amended
17 Subsection 5(3) is amended to delete the word “Capital”.

Subsection 7(1) amended
18 Subsection 7(1) is amended to

(a) add “*or lessee”* after the word “owner”,

(b) delete the word “Capital”, and

(c) delete *“subsections 4(2) or 4(3)”* and replace it with *“sections 4 or 4.1”.*

Clause 8(1)(e) amended
19 Clause 8(1)(e) is amended to delete the last word *“and”.*

Clause 8(1)(f) amended
20 Clause 8(1)(f) is amended to

(a) delete the word “Capital”, and

(b) delete the “.” at the end of the paragraph and replace it with *“; and”*.

Clause 8(2)(a) amended
21 Clause 8(2)(a) is amended to delete *“subsections 4(2) or 4(3)”* and replace it with *“section 4”.*

Clause 8(2)(e) replaced
22 Clause 8(2)(e) is amended to delete the word “later” and replace it with “*other*”.

Clause 8(2)(g) replaced
23 Clause 8(2)(g) is deleted and replaced with the following:

(g) an interim or final building occupancy permit for the entire building being issued by October 1, 2027 or before any other deadline established by the Chief Administrative Officer in writing;

Clause 8(2)(g.1) added
24 Clause 8(2)(g.1) is added after clause 8(2)(g) as follows:

(g.1) the applicant submitting evidence of insurance in a form and amount acceptable to the City’s Supervisor of Insurance at least five (5) business days before beginning construction;

Clause 8(2)(i) amended
25 Clause 8(2)(i) is amended to add “*or lessee”* after the word “owner”.

Clause 8(2)(j) amended
26 Clause 8(2)(j) is amended to add “*or lessee”* after the word “owner”.

Clause 8(2)(k) amended
27 Clause 8(2)(k) is amended to add “*or lease”* after the word “own”.

Clause 8(2)(l) amended
28 Clause 8(2)(l) is amended to

(a) add "*or lessee"* after "the owner", and

(b) add "*or lessee"* after "subsequent owner".

Clause 8(2)(m) amended
29 Clause 8(2)(m) is amended to add "*or lessee"* after the word "owner".

Subsection 8(5) amended
30 Subsection 8(5) is amended to

(a) add "*or lessee"* after the word "owner" and before the comma, and

(b) delete *"subsections 4(2) and 4(3)"* and replace it with *"section 4".*

Clause 8(6)(b) amended
31 Clause 8(6)(b) is amended to delete the word *"owner's"* and replace it with *"owner or lessee's".*

Subclause 8(6)(d)(ii) amended
32 Subclause 8(6)(d)(ii) is amended to

(a) add *"or lessee"* after *"the owner", and*

(b) add *"or lessee"* after *"subsequent owner".*

Clause 8(6)(d) amended
33 Clause 8(6)(d), the last sentence is amended to add *"or lessee"* after "between the owner".

Subsection 8(6) amended
34 Subsection 8(6), the last sentence is amended to add *"or lessee"* after "notice to the owner".

Clause 8(7)(b) replaced
35 Clause 8(7)(b) is deleted and replaced with the following:

(b) any money previously committed to the payment of a grant under this By-law for that property and not yet paid may be reallocated to

(i) the City's Land Enhancement Office to carry out a project, or

(ii) the highest-scoring unsupported project from the most recent Housing Accelerator Fund Grant Program application intake.

Subsection 8(8) amended
36 Subsection 8(8) is amended to

(a) add a "," immediately after the word "development",

(b) delete the word *"or"* after "development",

(c) add "*or a lessee*" after "an owner", and

(c) add *"or lessee"* after "current owner".

Section 8.1 added
37 Section 8.1 is added after subsection 8(8) as follows:

Parliamentary appropriation
8.1 *Pursuant to the Financial Administration Act (Canada), the obligations of CMHC to provide Housing Accelerator Fund funding to the City for the Housing Accelerator Fund Grant Program, are subject to there being a Parliamentary appropriation for the fiscal year in which the advance is to be made. Notwithstanding any other provisions of this By-law, the City has no liability for failing to pay any grants or any part thereof under this By-law*

(a) in the case of no or insufficient Parliamentary appropriations for Housing Accelerator Fund funding or any part thereof, or

(b) in the event that CMHC fails to provide any committed funding to the City for the Housing Accelerator Fund Grant Program for any reason.

Clause 10(2)(d) amended
38 Clause 10(2)(d) is amended to

(a) add *"or lessee"* after the word "owner",

(b) replace "owner's" with "or lessee's",

(c) delete the word "*Capital*", and

(d) delete the "." at the end of the paragraph and replace it with a ";".

Clause 11(a) amended
39 Clause 11(a) is amended to add *"or lessee"* after the word "owner" and before the ";".

Clause 11(b) amended
40 Clause 11(b) is amended to add *"or lessee"* after the word "owner".

Section 12 amended
41 Section 12 is amended to delete the word "*Capital*".

Coming into force

42 This By-law comes into force upon enactment.

DONE AND PASSED this day of , 202 .

Mayor

City Clerk

Approved as to content:

Chief Administrative Officer

Legally reviewed and certified as to form:

for Director of Legal Services/ City Solicitor