

BYLAW NO. 2016-MC-20

A BYLAW OF THE TOWN OF MAPLE CREEK TO ESTABLISH PROPERTY TAX INCENTIVES FOR NEW RESIDENTIAL CONSTRUCTION

WHEREAS the Town of Maple Creek desires investment in the construction of the new residential property for the purposes of economic development within the Town of Maple Creek;

WHEREAS the Town of Maple Creek desires the rejuvenation existing neighbourhoods within the Town of Maple Creek by encouraging new residential in-fill development as a way of supporting community growth while minimizing the need to expand the Town of Maple Creek's water, sewer, and street infrastructure;

WHEREAS the Town of Maple Creek desires new residential construction in new sub-divisions owned by the Town of Maple Creek;

WHEREAS section 298(5) of the Municipalities Act empowers the Municipality to exempt or partially exempt any property from taxation for the purposes of economic development;

THEREFORE The Council of the Town of Maple Creek hereby enacts the following New Residential Property Construction Incentive Program:

1. FORMER BUILDING INCENTIVES:

- a) This Bylaw hereby repeals all former Bylaws, policies, and/or other incentives related to the construction of new residential property within the Town of Maple Creek.
- b) Any property still receiving benefit from any former Bylaw, former policy, and/or any other former residential property construction incentive of the Town of Maple Creek may continue to receive the incentive benefits of their original arrangement with the Town of Maple Creek until such a time as the original agreement expires.
- c) No property approved for new residential construction incentives under any former Bylaw, former policy, and/or other former construction incentive of the Town of Maple Creek may retroactively seek any additional incentives as result of this Bylaw coming into effect.

2. DEFINITIONS:

For the purposes of this Bylaw:

- a) "Improvements" shall mean any residential building that is assessable for the purposes of property taxation.
- b) "Residential" shall mean a property located within an area that is zoned by the Town of Maple Creek as residential.
- c) "Single Family Home" shall mean a dwelling constructed on-site to house one family.
- d) "Duplex" shall mean a dwelling constructed on-site to house two families in two separate units both under one roof.
- e) "Multi-Family/Townhouses/Apartments/Condominiums" shall mean a building designed to house more than two families in more than two separate units under one roof.
- f) "Trailers/Mobile Homes/Manufactured Homes" shall mean dwellings that are assembled off-site and that are designed for the ease of periodic movement. They are dwellings categorized by the terms "single wide," "double wide," or "triple wide."
- g) Modular Homes/RTM (Ready To Move) Homes shall mean dwellings that are constructed off-site and moved onto a permanent foundation either in sections or as an entire unit. These homes are not designed for periodic movement, and demonstrate greater architectural detailing than trailers, mobile and/or manufactured homes. Once on-site, these dwellings visually differ little from other more traditional on-site constructed dwellings.

3. ELIGIBILITY:

- a) New residential construction for which a building permit has been approved.
- b) Trailers/Mobile Homes/Manufactured Homes are not eligible for this program.

- c) Multi-Family/Townhouses/Apartments/Condominiums are not eligible for this program (see Town of Maple Creek incentive programs for new commercial construction).
- d) Expansions (additions) to existing residential improvements are not eligible for this program.
- e) The construction of garages and sheds are not eligible for this program.

4. INCENTIVES:

- a) In the case of in-fill properties where the demolition of existing improvements is necessary to facilitate the construction of new improvements, the Town of Maple Creek may waive the landfill tipping fees for the demolition debris associated with the removal of the existing improvements on the property, providing:
 - i. In the opinion of Council the assessment of the proposed new improvements will be significantly greater than the assessment of the existing improvements.
 - ii. In the opinion of Council the demolition of the existing improvements will not result in a significant loss to the heritage of the community guided by a review of the property and a recommendation to Council by the Maple Creek Municipal Heritage Advisory Committee.
 - iii. A demolition permit has been approved for the demolition of the existing improvements.
 - iv. The existing improvements are demolished and delivered to the Maple Creek Landfill in a manner prescribed by Council.
- b) In the case of a property where the demolition of existing improvements is undertaken to facilitate the construction of new improvements following the process outlined in Section 4.a of this Bylaw, tax abatements may be granted as follows:
 - i. Year #1 – 100% abatement of all property tax (excluding special levies) after the reassessment of the property once construction has been completed.
 - ii. Year #2 – 66% abatement of all property tax (excluding special levies).
 - iii. Year #3 – 33% abatement of all property tax (excluding special levies).
 - iv. Year #4 – Full taxation rates apply.
- c) In the case of a property where there is no requirement for the demolition of existing improvements to facilitate the construction of new improvements, tax abatements may be granted as follows:
 - i. Year #1 – 100% of municipal taxes (excluding school taxes and special levies) after the reassessment of the property once construction has been completed.
 - ii. Year #2 – 66% abatement of the municipal taxes (excluding school taxes and special levies).
 - iii. Year #3 – 33% abatement of the municipal taxes (excluding school taxes and special levies).
 - iv. Year #4 – Full taxation rates apply.

5. CONDITIONS:

- a) Any property taxes and/or special levies owing on the property on which construction is to occur must be paid in full to the Town of Maple Creek before submitting an application.
- b) All taxes and special levies must continue to be paid on the property until construction has been completed.
- c) The value of the tax abatement will be based on the reassessment of the property once the construction of the new improvements has been completed.
- d) Construction will be considered completed when an occupancy certificate can be issued by the building inspector whose services have been engaged by the Town of Maple Creek.
- e) Taxes on improvements under construction will not be levied during the construction period, providing that construction does not take more than one year. If the duration of construction takes more than one year, at the discretion of Council, the tax abatement may be prorated in the year that construction is completed.
- f) Tax credits will be applied to the re-assessed property in the calendar year following the completion of construction.
- g) Tax credits are linked to the property itself and therefore can be transferred to any new owner of the property. Tax credits will continue to be applied against the property taxes until such a time as all the tax credits are exhausted.

- h) In the event of the complete loss of the building, tax credits on the property will be discontinued.
- i) This program may not be combined with any other Town of Maple Creek tax incentive program.
- j) In cases where Council has waived the tipping fees for the removal of existing improvements to facilitate the construction of new improvements, the construction of the new improvements must be initiated within one year of the removal of the old improvements. If not, the full amount of the forgiven tipping fees must be paid to the Town of Maple Creek.

6. APPLICATION PROCESS:

- a) Submission of a written application to the Town of Maple Creek that includes the engineered plans for the construction of new residential improvements.
- b) Submission of a building permit application.
- c) Submission of a demolition permit application (if applicable).





Mayor



Administrator