

BYLAW #2016-MC-16

A BYLAW OF THE TOWN OF MAPLE CREEK TO ESTABLISH PROPERTY TAX INCENTIVES FOR NEW COMMERCIAL & INDUSTRIAL CONSTRUCTION

WHEREAS the Town of Maple Creek desires commercial & industrial development within the community for economic development purposes;

WHEREAS the Town of Maple Creek's Official Community Plan (2009) identifies "to provide an attractive business and industrial environment through a continued competitive tax regime and service provision" as an objective of 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 commercial & industrial construction tax 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 commercial and/or industrial property within the Town of Maple Creek.
- b. Any property still receiving benefit from any former Bylaw, former policy, and/or any other former commercial/industrial property construction incentive of the Town of Maple Creek may continue to receive the incentive benefits of the original arrangement with the Town of Maple Creek until such a time as the original agreement expires.
- c. No property approved for new commercial/industrial 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:

- a. "Commercial" shall mean a property zoned by the Town of Maple Creek as C-1 Commercial and/or C-2 Commercial.
- b. "Industrial" shall mean any property zoned by the Town of Maple Creek as M-1 Industrial.
- c. "Improvements" shall mean any building or structure that is assessable for the purposes of property taxation.

3. ELIGIBILITY:

- a. The construction of new commercial or industrial improvements on property within the Town of Maple Creek that is zoned either commercial (C-1 & C-2) or industrial (M-1).
- b. The construction of multi-family residential units, townhouses, apartment buildings, and/or condominiums (in appropriately zoned areas of the Town of Maple Creek) will be considered "commercial" for the purposes of this program, and are therefore also eligible for the incentives outlined in this Bylaw.
- c. A building permit must be approved prior to construction.
- d. New commercial construction must be consistent with sections 7.1 & 7.2 of the Town of Maple Creek's Official Community Plan:
 - i. As per 7.1 the proposed commercial construction is not out of keeping with scale and character of the community.
 - ii. As per 7.2 any proposed commercial construction outside of the downtown core does not detract from the downtown core as the commercial hub of the community.
- e. New commercial construction undertaken within the Maple Creek Heritage District (an area of the downtown core set apart and defined by Bylaw #2010-MC-21), must be compatible with the scale and character of the district and it may be subject to architectural controls/design guidelines.

4. INCENTIVES:

At the discretion of the Town of Maple Creek, one of the following tax incentive scenarios may be granted:

- a. Abatement of total property tax starting the year following completion of construction, excluding special levies, for a period of no more than five years, or;
- b. Abatement of all property tax, excluding special levies, at the following rates:
 - i. Year 1 – 100% (year after construction)
 - ii. Year 2 – 66%
 - iii. Year 3 – 33%
 - iv. Year 4 – Full taxation rates apply

5. EVALUATION PROCESS:

The Town of Maple Creek will determine which level of incentive to grant based on the degree to which the new construction meets the following evaluation criteria:

- a. Whether or not the new commercial or industrial construction will result in a business that fills a void in the current goods, services, and/or manufacturing mix within the community.
- b. The degree to which the new commercial or industrial construction has the potential to positively benefit residents and/or other existing businesses within the community.
- c. The degree to which the new commercial or industrial construction has the potential to increase traffic to the community and/or stave off business leakage.
- d. The degree to which the new commercial or industrial construction has the potential to create new jobs within the community.
- e. The overall impact that the new commercial or industrial construction will potentially have upon the economy of the community.
- f. The long-term viability of the business being operated out of the new commercial or industrial construction.

6. 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 credits 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. If new commercial construction is being undertaken within the Maple Creek Heritage District (an area of the downtown core set apart and defined by Bylaw #2010-MC-21), the plans for the development must be reviewed by the Maple Creek Municipal Heritage Advisory Committee.
- h. Tax credits are linked to the building 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.
- i. In the event of the complete loss of the building, tax credits on the property will be discontinued.
- j. This program may not be combined with any other Town of Maple Creek tax incentive program.

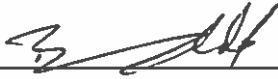
7. APPLICATION PROCESS:

- a) A written application is to be submitted to the Town of Maple Creek outlining how the proposed commercial or industrial construction meets the eligibility criteria in


section 3, and the degree to which the project addresses the evaluation considerations in section 5 of this Bylaw.

- b) Submission of a building permit application.
- c) Submission of a demolition permit application (if applicable).
- d) An in-person interview with the Mayor, Administrator, and/or the Manager of Community and Economic Development may be required.






Mayor



Administrator

Read a third time and hereby adopted on the
10 day of August, 2016.



Don McLeod
Chief Administrative Officer