

BYLAW 2020-MC-01

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 subdivisions 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) A building permit must be approved prior to construction.
- b) Trailers/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 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, base tax and special levies) after the reassessment of the property, during the year of construction.
 - ii. Year #2 – 66% abatement of the municipal taxes (excluding school taxes and special levies and base tax).
 - iii. Year #3 – 33% abatement of the municipal taxes (excluding school taxes and special levies and base tax).
 - iv. Year #4 – Full taxation rates apply.
- b) In the case of a property where the demolition of existing improvements is undertaken to facilitate the construction of new improvements tax abatements may be granted as follows:
 - i. Year #1 – 100% of municipal taxes (excluding school taxes, base tax and special levies) after the reassessment of the property, during the year of construction.
 - ii. Year #2 – 66% abatement of the municipal taxes (excluding school taxes and special levies and base tax).
 - iii. Year #3 – 33% abatement of the municipal taxes (excluding school taxes and special levies and base tax).
 - 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. Diane has a crazy idea. In order for them to get their tax break they shall have all building deficiencies completed.
- 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 shall not be combined with any other Town of Maple Creek tax incentive program.

6. APPLICATION PROCESS:

- a) A written application shall be submitted to the Town Council outlining how the proposed residential 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, Chief Administrative Officer, and/or the Manager of Community and Economic Development may be required.
- e) A written application for a tax incentive shall be submitted to the Town Council for approval at the same time as the application for a development permit, a building permit and prior to construction.

7. COMING INTO FORCE

- a) Bylaw 2016-MC-20 is hereby repealed.
- b) This Bylaw shall come into force and be in effect on the final passing thereof.



SEAL


Michelle McKenzie
Mayor


Diane Moss
Chief Administrative Officer

Read a third time and hereby adopted
On the 11 day of FEB 2020.

CERTIFIED A TRUE COPY OF

Bylaw No. 2020-MC-01 of the Council
of the Town of Maple Creek, on the

11 Day of February, 2020.


ADMINISTRATOR