

**TOWN OF ARBORG
BY-LAW NO. 4-2023**

**BEING A BY-LAW OF THE TOWN OF ARBORG TO ESTABLISH
A DEVELOPMENT INCENTIVE PROGRAM**

WHEREAS Sections 261.2(1) and 261.2(2) of *The Municipal Act* provide as follows:


- 261.2(1)** "A council may by by-law establish financial assistance programs."
- 261.2(2)** "A financial assistance program may include provisions
- (a) prescribing the types, locations or classes of premises eligible for financial assistance, which types, locations or classes may be based on the age, assessed value of occupancy of the premises, or other criteria;
 - (b) Prescribing the amount, or the manner of calculating the amount of financial assistance for each premises or each type, location or class of premises;
 - (c) prescribing the types of renovations and costs associated that are eligible for financial assistance;
 - (d) establishing terms and conditions under which financial assistance may be provided or terminated, including establishing criteria for determining
 - (i) the amount, or the manner of calculating the amount, of financial assistance,
 - (ii) the maximum annual financial assistance, and
 - (iii) the year or years during which financial assistance may be paid out or applied;
 - (e) respecting criteria for eligibility of recipients of financial assistance; and
 - (f) respecting any other matter that the council considers necessary or advisable."

AND WHEREAS it is deemed necessary and desirable to establish a Development Incentive Program to promote development in the municipality to support economic growth;

NOW THEREFORE the Council of the Town of Arborg in open session duly assembled hereby enacts as follows:

1. **THAT** a Development Incentive Program for the Town of Arborg is hereby established;
2. **THAT** the Development Incentive Program be administered in accordance with the Guidelines as outlined in **Schedule "A"** and **"B"** attached hereto;
3. **THAT** this By-law takes effect on the date third and final reading is given;
4. **THAT** Development Incentive By-law No. 9-2008 be rescinded;
5. **THAT** Development Incentive By-law No. 9-2019 be rescinded, effective January 1st, 2025, following the completion of incentives approved under by By-law No. 9-2019.

DONE AND PASSED by the Council of the Town of Arborg, duly assembled at Arborg, in the Province of Manitoba this 12th day of **July A.D. 2023**.


Peter Dueck
Mayor


Cindy Stansell
Chief Administrative Officer

Read a first time this	14 th	day of	June	A.D.	2023
Read a second time this	12 th	day of	July	A.D.	2023
Read a third time this	12 th	day of	July	A.D.	2023

**Town of Arborg Development Incentive Program
Schedule "A" to By-law No. 4-2023**

1.0 DEFINITIONS

In this by-law,

- 1.1 "Commercial" (Industrial) means any business which would fall under the Manitoba Assessment Branch's property class of 'Other';
- 1.2 "Duplex" means one dwelling having separate residences for two families with separate entrances for each residence;
- 1.3 "Lots or Lots" shall mean any lot or lots created by the registration of any Plan of Sub-division, subdividing land within a Planned Area, and that becomes developable only when municipal services have been installed;
- 1.4 "Municipality" means the Town of Arborg;
- 1.5 "Municipal Taxes" means the property taxes imposed for municipal purposes by the municipality. This excludes all Education Taxes;
- 1.6 "Owner(s)" means the person who is the registered owner under *The Real Property Act* of land on which a building is or will be located, or the granted thereof of a valid conveyance registered under The Registry Act or an agent of either such owner;
- 1.7 "Subdivision", for the purposes of the Development Incentive Program, means a single land title divided into **four (4)** or more parts, or property boundaries are rearranged creating **four (4)** or more vacant, legal properties;
- 1.8 "Substantial Completion" means a development or structure ready for occupancy and having received an assessment value from Manitoba Assessment Branch.
- 1.9 "Vacant" means a building or land that is empty, unoccupied and unused.

2.0 PROGRAM CRITERIA

- 2.1 All eligible development must result in a net increase in the property's assessment, as determined by the Manitoba Assessment Branch, and municipal taxes.
- 2.2 The tax credit will be calculated on the **total portioned assessment**.
- 2.3 Owners are not eligible if they have received any other support, incentives, grants or refunds from the Municipality.
- 2.4 Development will only be eligible in areas with existing infrastructure, or in a newly developed area that has been approved by Council for infrastructure expansion;
- 2.5 For the purposes of this By-law, the three (3) Year Incentive will be based on the **total portioned land assessment of vacant, legal properties** created through the Subdivision process;
- 2.5.1 Any development, **other than Single Residential Development**, may require a review of the remaining years of a signed Development Incentive Program for Subdivided land.
- 2.6 The development will only receive approval for a tax incentive if the property has no outstanding municipal and educational taxes.

2.0 PROGRAM CRITERIA - cont'd

- 2.7 Commercial operations that are new to the Municipality and choose to operate in formerly vacant premises must be in operation for one year to be eligible for the Tax Incentive.
- 2.8 The developer or owner must obtain a building permit from the Eastern Interlake Planning District prior to the commencement of any construction, or, in the case of Subdivision, obtain approval from Community and Regional Planning (CRP).
- 2.8.1 The development must conform to the Eastern Interlake Planning District's Development Plan and the Town of Arborg's Zoning By-law and Building By-law, and in the case of subdivision, conform to The Planning Act.
- 2.8.2 The building permit, or subdivision approval, is also subject to any regulations or restrictions imposed by any other government body and does not relieve the permittee from having to comply with those restrictions and/or regulations.

- 2.8.3 All contractors and sub-trades involved in the construction must be duly licensed to operate within the applicable municipality.
- 2.9 Registered property owners shall submit a completed application in the form of Schedule "B" to the Town of Arborg, prior to completion of construction, but no later than December 31st in the year of substantial completion, in order to qualify for the program.

3.0 ELIGIBILITY

- 3.1 Eligibility is determined on a project by project basis;
- 3.2 Development shall meet the targeted needs of the community;
- 3.3 Council will have the final decision on all applications;
- 3.4 The following developments in the Town of Arborg will be considered for eligibility by Council for the Incentive Program:
 - (a) New commercial and industrial development with a minimum total assessment of **\$250,000**;
 - (b) Expansion and major renovation of an existing business with a minimum increase in the building assessment of **\$250,000**;
 - (c) New multiple-unit residential development, including apartment blocks, condominiums, duplexes, and any development with two (2) or more residential units, with a minimum total assessment of **\$250,000**;
 - (d) Expansion or major renovation of existing multiple-unit residential development with a minimum increase in the building assessment of **\$250,000**.
 - (e) A new residential subdivision creating **four (4)** vacant legal properties.
 - (f) Ineligible applicants include government run or funded agencies and insurance claims.

4.0 PROCEDURE

- 4.1 To qualify for incentives, developments must meet established criteria.
- 4.2 Requests must be made in writing to the Council of the Town of Arborg and include the attached Application Form (**Schedule "B"**);
- 4.3 Council will review all requests to determine if the development meets the program criteria. Additional information, such as a business plan or feasibility study, should be included with the request. All information is confidential.
- 4.4 Council will respond to each request in a timely manner.

5.0 INCENTIVE PROGRAM:

- 5.1 For a new commercial or industrial development, a cash grant equivalent to a percentage of the general municipal taxes levied on the property as follows:

Year 1	80% of the general municipal taxes
Year 2	80% of the general municipal taxes
Year 3	50% of the general municipal taxes
Year 4	50% of the general municipal taxes
Year 5	50% of the general municipal taxes
- 5.2 Expansion and major renovation of an existing business, a cash grant equivalent to a percentage of the general municipal taxes levied on the property as follows:

Year 1	80% of the general municipal taxes
Year 2	80% of the general municipal taxes
Year 3	50% of the general municipal taxes
Year 4	50% of the general municipal taxes
Year 5	50% of the general municipal taxes

5.3 For new multiple-unit residential development, including apartment blocks, condominiums, duplexes, and any development with two (2) or more residential units, a cash grant equivalent to a percentage of the general municipal taxes levied on the property as follows:

Year 1	80% of the general municipal taxes
Year 2	80% of the general municipal taxes
Year 3	50% of the general municipal taxes
Year 4	50% of the general municipal taxes
Year 5	50% of the general municipal taxes

5.4 Expansion or major renovation of existing multiple-unit residential development, a cash grant equivalent to a percentage of the general municipal taxes levied on the property as follows:

Year 1	80% of the general municipal taxes
Year 2	50% of the general municipal taxes
Year 3	50% of the general municipal taxes

5.5 Commercial Operations that are new to the Municipality, and operating in premises that have been vacant for over one year, will receive a cash grant equivalent to a percentage of the general municipal taxes levied on the property as follows:

Year 1	80% of the general municipal taxes
Year 2	50% of the general municipal taxes
Year 3	50% of the general municipal taxes

5.6 The Developer of a new Residential Subdivision will receive a cash grant equivalent to a percentage of the general municipal taxes levied on the total land assessment of the newly created, vacant, residential lots as follows:

Year 1	80% of the general municipal taxes
Year 2	60% of the general municipal taxes
Year 3	40% of the general municipal taxes

5.6.1 The Developer of a new Residential Subdivision shall receive the grant for the full three (3) years regardless of lot sales within the three (3) years, and the grant shall continue to be calculated based on the assessment initially levied on the newly created, vacant, residential lots.

5.7 Year one (1) is defined as the **first full year of added assessment** with respect to the developments described herein.

6.0 INCENTIVE PAYMENT DETAILS

6.1 Property taxes must be kept current and paid in full on or before the due date; If in arrears, the agreement may be cancelled.

6.2 The incentive grant will be payable following full payment of annual taxes

**Town of Arborg
Development Incentive Program
Schedule "B" to By-law No. 4-2023
Application Form**

Name of Applicant _____

Mailing Address _____

E-Mail Address _____

Phone No. _____

Location of Development/Subdivision

(Legal Description; Civic Address)

Roll Number(s) _____

Nature of Development _____

Occupancy and / or Possession Date _____

Building Permit Number(s)
Or Community & Regional Planning File No. _____

Date Issued _____

General Contractor(s) _____

Signature of Applicant _____ Date _____

OFFICE USE ONLY

Date Application Received _____

Date Reviewed by Council _____

Date of Approval _____