



THE MUNICIPALITY OF BIFROST-RIVERTON

BY-LAW 8-2022

Being a By-law of the Municipality of Bifrost-Riverton to establish a Development Tax Incentive Program within the Municipality and repeal By-law 11-2016.

WHEREAS Section 261.2(1) of *The Municipal Act* that a Council may by bylaw establish financial assistance programs;

AND WHEREAS Section 261.2(2) of *The Municipal Act* provides that:

- (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 in the best interest of the Municipality of Bifrost-Riverton to offer a financial assistance program to promote development expanding in the Municipality;

AND WHEREAS all construction included in this by-law must receive approval from the Eastern Interlake Planning District prior to starting construction and conform to all applicable provisions of the municipality's zoning and building by-laws.

NOW THEREFORE the Council of The Municipality of Bifrost-Riverton enacts as follows:

1. DEFINITIONS

In this by-law,

"Assessed Value" means the value for real property as determined under the *Municipal Assessment Act*.

"Commercial" means any business which would fall under the Manitoba Assessment Branch's property class of 'Other'.

"Development" means the new construction of a building, placement of a newly constructed Single-Family Dwelling, or new expansion of a commercial building.

"General Municipal Levy" means the property taxes imposed for general municipal at large purposes by the municipality. This excludes School Division Levies, Provincial Education Support Levies, Deficit Recovery Levies, Reserve Fund Levies, Local Improvement Levies, Special Service Levies, or any other charges and fees added to the taxes under *The Municipal Act*.

"Financial Assistance" means the tax refund based on the incremental taxes paid under this By-law.

“Multi-Family Dwelling” means a building containing two or more residential dwelling units, each such unit designed for and used by only one family, and may include duplexes, row houses, town houses, and apartment buildings. This does not include accessory buildings, detached garages, sheds, etc.

“Municipality” means the Municipality of Bifrost-Riverton.

“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.

“Single-Family Dwelling” means a detached building or structure containing one residential dwelling unit designed for and used by one family. This does not include accessory buildings, detached garages, sheds, etc.

2. INCENTIVE TYPES

The Municipality hereby establishes the program to provide Financial Assistance in the form of tax refunds based on the increase in building assessment as a result of eligible development.

There are three incentive categories for which owners can receive Financial Assistance on the eligible portion of the General Municipal Levy amount:

a. Commercial New and Expansion Incentive.

For Commercial development, over a period of five tax years the owners can receive:

Year 1 100% refund;
Year 2 80% refund;
Year 3 60% refund;
Year 4 40% refund; and
Year 5 20% refund.

b. Single-Family Dwelling Incentive.

For Single-Family Dwelling development, over a period of three tax years the owner can receive:

Year 1 75% refund;
Year 2 50% refund; and
Year 3 25% refund.

c. Multi-Family Dwelling Incentive.

For Multi-Family Dwelling development, over a period of five tax years owners can receive:

Year 1 80% refund;
Year 2 60% refund;
Year 3 40% refund;
Year 4 20% refund; and
Year 5 10% refund.

3. CRITERIA

- a. All eligible development must result in a net increase in the roll number's assessed value.
- b. The financial assistance will be calculated on only the increased building assessment. Land assessment or the building assessment prior to new construction or expansion shall not be used in the calculation of the tax refund.
- c. If a building is deconstructed and a new building constructed or placed, the financial assistance will apply only to the difference in assessment between the deconstructed building and the new building.
- d. Sale of the property does not impact the payment of Financial Assistance. Financial Assistance is payable to whoever is the Owner of the property as of the date of payment of Financial Assistance.
- e. To be eligible to receive financial assistance:
 - i. The property's taxes must not be in arrears,
 - ii. The Owner must not own any property in the Municipality in tax arrears or be otherwise indebted to the Municipality
 - iii. The property's taxes must be paid in full for the year Financial Assistance is to be paid,
 - iv. the development has been added to the municipal assessment roll during the current tax year or will be added within two years of the date of application.

4. APPLICATION PROCESS

The owner must submit the attached application form (Schedule "A") to the Designated Officer of the Municipality no later than the first tax year in which the new development has been applied to the current assessment roll.

If on the basis of the application and the information supplied with it, the application meets the By-law's requirements, the Municipality's Chief Administrative Officer or a Designated Officer may approve the application and make Financial Assistance payments as authorized under this by-law.

If the eligibility requirements are not met, the Municipality may give the Owner notice of the failure and provide a period within which to remedy the failure. If the failure is not remedied to the Municipality's satisfaction, the Municipality may suspend payment of Financial Assistance, terminate payment of Financial Assistance for the property, or take such other actions as the Municipality determines appropriate.

5. REPEAL

By-law 11-2016 is hereby repealed.

DONE AND PASSED, in open Council assembled, by The Municipality of Bifrost-Riverton at Arborg in the Province of Manitoba this 11th day of August, 2022.

Read a first time this 14th day of July, 2022.

Read a second time this 11th day of August, 2022.

Read a third time this 11th day of August, 2022.



Brian N. Johnson,
Reeve



Jordan Willner,
Chief Administrative Officer

