

**LOCAL GOVERNMENT DISTRICT OF PINAWA
BY-LAW NO. 858-19**

Being a by-law to establish a financial assistance program to provide an incentive for new commercial/industrial development.

WHEREAS subsections 261.2 (2) of The Municipal Act provides as follows: "A council may by by-law establish financial assistance programs, which may include provisions establishing terms and conditions under which financial assistance may be provided or terminated, including establishing criteria for determining the year or years during which financial assistance may be paid out or applied";

AND WHEREAS it is deemed necessary and desirable to establish a financial assistance program to provide incentives for new commercial/industrial development;

NOW THEREFORE the council of The Local Government District of Pinawa enacts as follows:

That a financial assistance program to provide a sewer and water installation grant and taxation incentives for new commercial/industrial development be established. That The Local Government District of Pinawa will provide to the registered owner of a newly constructed commercial/industrial building a grant of a maximum of \$5,000.00 for the installation of sewer and water services as well as the equivalent of two years general municipal taxes. This grant does not include School Division taxations or any other pertinent by-law taxations.

That the financial assistance program be administered in accordance with the Policy Requirements as attached to this by-law as Schedule "A".

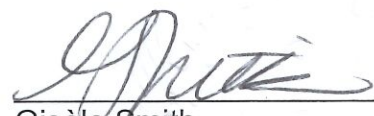
That applicant is responsible to apply for the incentive program on the Application Form as attached to this by-law as Schedule "B".

That upon acceptance of the incentive program application the applicant must enter into a Development Incentive Agreement with The Local Government District of Pinawa as attached to this by-law as Schedule "C".

That Schedules A, B and C of this by-law may be amended from time to time by resolution of Council.

That By-law No. 844-18 be rescinded.

DONE, PASSED and ENACTED as a by-law of The Local Government District of Pinawa in the Province of Manitoba this 10th day of September 2019.



Gisèle Smith
Resident Administrator

Read a first time this 16th day of July, 2019
Read a second time this 13th day of August, 2019
Read a third and final time this 10th day of September, 2019

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Schedule "A"
POLICY GUIDELINES

Program Purpose:

The purpose of the program is to encourage construction of new commercial/industrial businesses or additions to existing commercial/industrial businesses in The Local Government District of Pinawa effectively creating economic development and increasing the tax base.

Definitions:

"commercial/industrial business" means a new commercial or industrial business started in The Local Government District of Pinawa, including an existing commercial or industrial business purchased by a new owner, that results in a building that is existing, newly constructed or has an addition that will be used as the principal place of business and is classified as commercial property on The Local Government District of Pinawa municipal tax roll. The owner of the commercial/industrial business must be the principal owner and the registered property owner. Home based businesses are not eligible for the commercial tax incentive credit.

"general municipal taxes" means all municipal taxes and existing debenture debt as of the date of third reading of this By-law imposed by The Local Government District of Pinawa based on the portioned assessment of the land and buildings. This does not include School Division taxations or future by-law taxations.

"registered property owner" means the registered owner(s) of the land upon which a commercial/industrial business or is to be situated.

"sewer and water installation" means all costs regarding the construction of the sewer and water lines from the main line to the building itself.

Requirements:

1. Upon acceptance of a commercial tax incentive credit applicant as passed by a Resolution of the Council of The Local Government District of Pinawa, The Local Government District of Pinawa shall grant and will apply a credit for general municipal taxes on The Local Government District of Pinawa property tax roll to the registered property owner annually on August 31st of each eligible year as calculated in paragraph 2 below.
2. The Development Incentive program will provide general municipal tax credits for a maximum of twenty-four months. The **increased** general municipal tax credits distributed on a prorated basis as follows:
 - **Portion A:** The first portion of the tax credit will be for the residual construction year calculated from the date that construction is deemed to be substantially complete by the Building Inspector of The Local Government District of Pinawa and upon receipt of the Manitoba Assessment Branch Added Tax Notice following the date of substantial completion, The Local Government District of Pinawa will reimburse the registered property owner(s) for paid general municipal taxes (**increased portion**) accruing after the date of substantial completion during the residual construction year.
 - **Portion B:** The second portion of the tax credit will be calculated from January 1st to December 31st. This portion of the tax credit will be applied directly to the municipal tax account on August 31.
 - **Portion C:** The third portion of the tax credits will be calculated from January 1st and prorated to provide for a full twenty-four month tax credit period. This portion of the tax credit will be applied directly to the municipal tax account on August 31.

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3. The Development Incentive program will provide a maximum grant of \$5,000.00 towards the cost of sewer and water installations to the building itself with the following requirements:
 - The Local Government District of Pinawa shall supervise connections to the existing service and may recommend material and mechanical connections, if required.
 - Proof of payment for installation services shall be required prior to release of grant funds.
4. Registered property owners are responsible to apply for an incentive under this program and must make application in writing to The Local Government District of Pinawa on the application form attached to this By-law No. 858-19 as Schedule "B" and provide such additional documentation as may be required by The Local Government District of Pinawa to process such application prior to commencing construction, including but not limited to a certificate of title, a registered business licence, and if applicable, corporate constating documents.
5. Building permits must be obtained and approved and construction of the commercial/industrial business must be substantially complete within twelve (12) months of the application to be eligible for the incentive program. The date of the final inspection and approval by the Building Inspector shall be the date of substantial completion. The registered property owner may make an application to the Council of The Local Government District of Pinawa for an extension for the date of substantial completion.
6. The newly constructed commercial/industrial business must have a minimum building assessment of Seventy-Five Thousand Dollars (\$75,000.00).
7. In the case where new construction is an addition to an existing commercial/industrial business, the addition must result in a minimum increase in the building assessment of Seventy-Five Thousand Dollars (\$75,000.00).
8. The commercial/industrial business must be in full compliance with building codes and by-laws of The Local Government District of Pinawa and the Province of Manitoba, including all applicable policies and practices.
9. The registered property owner must not be in violation of any of the by-laws, development agreements, industrial use or zoning regulations of The Local Government District of Pinawa. In the event of such violation, the commercial tax incentive credit shall cease and the Development Incentive Agreement shall be terminated.
10. All infrastructure costs associated with the preparation of the land shall be borne by the registered property owner, subject to any applicable development agreement.
11. All costs associated with transfer of title of a commercial/industrial business are the responsibility of the purchaser.
12. A Municipal sign (Successful Tax Incentive Recipient) must be visibly placed on the property for a minimum period of six (6) months following the date of substantial completion or the date of purchase.
13. Property taxes must be kept current. In the event that there are any tax arrears, the commercial tax incentive credit shall cease and the Development Incentive Agreement shall be terminated. Any property taxes due during the residual construction year prior to the date of substantial completion or purchase, as the case may be, must be paid in full by August 31st of the current year.

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14. The commercial/industrial business must remain in business for the duration of the commercial tax incentive period.
15. In the event that there is any dispute regarding eligibility for the program and/or credit amount available, the decision of Council of The Local Government District of Pinawa will be final.

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Please provide a detailed site plan.

Please provide a detailed description of the proposed new Commercial/Industrial operation, including, but not limited to operating name, registered business status and a comprehensive business plan.

I, _____, hereby acknowledge that this credit is only issued by the LGD if the property owner is in compliance with Schedule A to By-Law # 858-19 – Policy Guidelines.

LGD of Pinawa Building Permit Number: _____

Signature of Applicant: _____ Date: _____

Signature of Co-Applicant: _____

Checklist of required documentation:

Document	Required	Submitted	Received by
Certificate of Title			
Approved Building Permit			
Business License			
Business Plan			

Schedule "C"

COMMERCIAL/INDUSTRIAL DEVELOPMENT INCENTIVES AGREEMENT

THIS AGREEMENT made this _____ day of _____ A.D., 20 ____

BETWEEN:

Local Government District of Pinawa (First Party)

AND

(Registered Property Owner(s) (Second Party))

Roll# _____

Civic Address: _____

Legal Description: _____

THAT both parties agree that Schedule "A" Policy Requirements to by-law No. 858-19, being The Local Government District of Pinawa Commercial/Industrial Development Incentive By-law, must be met to deem this agreement valid;

THAT both parties agree that a grant, equivalent to two (2) years, plus residual construction year, general municipal taxes, be paid to the registered property owner(s) after all conditions of By-Law No. 858-19 have been met;

THAT both parties agree that a grant in the maximum of \$5,000.00 be allocated after all conditions of by-law 858-19 have been met;

THEREFORE a grant will be given to the registered property owner who has met all conditions of by-law No. 858-19 pertaining to the construction of a new commercial/industrial building construction.

DATED at The Local Government District of Pinawa, Manitoba this _____ day of _____, A.D. 20 ____.

Witness

Registered Property
Owner

Witness

Registered Property
Owner

Local Government District of Pinawa

Witness

Mayor

Witness

Resident Administrator