

**LOCAL GOVERNMENT DISTRICT OF PINAWA  
BY-LAW NO. 766-13**

Being a by-law to establish a financial assistance program to provide an incentive for new residential 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 residential development;

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

That a financial assistance program to provide taxation incentives for new residential development be established. That The Local Government District of Pinawa will provide to the registered owner of a newly constructed residential dwelling a grant the equivalent of two years general municipal taxes. This grant does not include School Division taxations or 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 the 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”.

DONE, PASSED and ENACTED as a by-law of The Local Government District of Pinawa, in the Province of Manitoba this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Jenny Petersen  
Resident Administrator

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 201

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 201

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, 201

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**Schedule "A"**  
**POLICY GUIDELINES**

**Program Purpose:**

The purpose of the program is to encourage construction of new, fully constructed residences in The Local Government District of Pinawa effectively increasing economic development and increasing the tax base.

**Definitions:**

"general municipal taxes" means all municipal taxes and existing debenture debt as of the date of third reading of this By-law No. 766-13 imposed by The Local Government District of Pinawa based on the portioned assessment of the land and buildings.

"new, fully constructed residences" means the following single family dwellings:

- (a) built on site structures, constructed in the year or immediately preceding year, that comply with building codes and by-laws of The Local Government District of Pinawa and the Province of Manitoba;
- (b) Ready to Move (RTM) homes constructed in the year of immediately preceding year, as certified by the contractor that comply with building codes and by-laws of The Local Government District of Pinawa and the Province of Manitoba.

"registered property owner" means the registered owner(s) of the land upon which a new, fully constructed residence is or is to be situated.

**Requirements:**

1. Upon acceptance of a 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 two below.
2. The Development Incentive program will provide general municipal tax credits for a maximum of twenty-four months. The 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. 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 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 31<sup>st</sup>. 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.
3. 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. 766-13 as Schedule "B" and provide such additional documentation as may be

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required by The Local Government District of Pinawa to process such application prior to commencing construction.

4. Building permits must be obtained and approved and construction of the new, fully constructed residence 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.
5. The new, fully constructed residence must have a minimum building assessment of One Hundred Thousand Dollars (\$100,000.00).
6. The new, fully constructed residence 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.
7. The registered property owner must not be in violation of any of the by-laws, development agreements or zoning regulations of The Local Government District of Pinawa. In the event of such violation, the tax incentive credit shall cease and the Development Incentive Agreement shall be terminated.
8. All infrastructure costs associated with the preparation of the land shall be borne by the registered property owner, subject to any applicable development agreement.
9. All costs associated with transfer of title of a new, fully constructed residence are the responsibility of the purchaser.
10. 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.
11. Property taxes must be kept current. In the event that there are any tax arrears, the 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 must be paid in full by August 31<sup>st</sup> of the current year.
12. 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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**Schedule "C"**

**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. 766-13, being The Local Government District of Pinawa Development Incentive By-law, must be met to deem this agreement valid;

THAT both parties agree that a grant, equivalent to two (2) year's, plus residual construction year , general municipal taxes, be paid to the registered property owner(s) after all conditions of by-law No. 766-13 have been met;

THEREFORE a grant will be given to the registered property owner who has met all conditions of by-law No. 766-13 pertaining to the construction of a new residence.

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