

**CITY OF WINKLER
BY-LAW NO. 2179-17**

**BEING A BY-LAW OF THE CITY OF WINKLER TO
IMPLEMENT A COMMERCIAL AND INDUSTRIAL FINANCIAL ASSISTANCE
PROGRAM FOR ELIGIBLE PROPERTIES IN THE CITY OF WINKLER**

WHEREAS, Section 261.2 (1) of The Municipal Act, S.M. 1996, c.58, C.C.S.M. c. M225 provides in part as follows:

“A council may by by-law establish financial assistance programs.”

AND WHEREAS, Section 261.2(2) of The Municipal Act, S.M. 1996, c.58, C.C.S.M. c. M225 provides as follows:

“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 or 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 the Council of The City of Winkler recognizes that our industrial and commercial businesses are a driver of economic growth in the City of Winkler;

AND WHEREAS the Council of the City of Winkler has deemed it necessary and expedient to pass a by-law for the purpose of establishing a financial assistance program that will encourage and assist industrial and commercial development to promote economic growth;

NOW THEREFORE the Council of the City of Winkler, in open session assembled, enacts as follows:

1. In this by-law,
 - (a) BASE YEAR means the year prior to the year in which the property is re-assessed as a result of new building construction.

- (b) FINANCIAL ASSISTANCE means a tax credit for general municipal taxes.
- (c) MUNICIPALITY means the City of Winkler.
- (d) OWNER means a person who is the registered owner under The Real Property Act of land on which a building is located.
- (e) COMMERCIAL PROPERTY means real property assessment on buildings located in a Commercial Zone of the City of Winkler and classified as “Other Property – Taxable” in the Assessment Roll.
- (f) INDUSTRIAL PROPERTY means real property assessment on buildings located in an Industrial Zone in the City of Winkler and classified as “Other Property – Taxable” in the Assessment Roll.
- (g) SUPPLEMENTARY ASSESSMENT shall mean added real property assessment on buildings in the year of construction completion

2. That a Financial Assistance Program be established for Commercial and Industrial properties within the City of Winkler whereby any new general municipal taxes which result from an increase in the assessed value of a property due to a building addition or renovation or new building construction will be eligible for financial assistance for a period of five (5) years commencing in the year following the base year.

3. Application for the financial assistance program shall be made in the form attached as “Schedule A” – Commercial and Industrial Tax Credit Application Form to this by-law. Tax credits will not be retroactive to previous years as a result of late application.

4. The financial assistance for Year 1 of the Financial Assistance Program, whereby Year 1 shall be considered to be the year in which the construction is completed, shall be calculated to equal 100% of the general municipal taxes on the supplementary building assessment;

5. The financial assistance for Year 2 of the Financial Assistance Program shall be calculated to equal 80% of general municipal taxes as derived by applying Year 2 general municipal mill rate to Year 1 supplementary building assessment;

6. The financial assistance for Year 3 of the Financial Assistance Program shall be calculated to equal 60% of the general municipal taxes as derived by applying Year 3 general municipal mill rate to Year 1 supplementary building assessment;

7. The financial assistance for Year 4 of the Financial Assistance Program shall be calculated to equal 40% of the general municipal taxes as derived by applying Year 4 general municipal mill rate to Year 1 supplementary building assessment;

8. The financial assistance for Year 5 of the Financial Assistance Program shall be calculated to equal 20% of the general municipal taxes as derived by applying Year 5 general municipal mill rate to Year 1 supplementary building assessment;
9. All required permits, certificates, development agreements and other authorizations must be obtained before the development project commences construction in order to be eligible for financial assistance.
10. Before the release of any financial assistance, the project must be substantially completed and all outstanding taxes, utility charges or other property related amounts owing to the City of Winkler must be paid.
11. Development projects must commence within five years of the passing of this by-law to be eligible for the financial assistance program prescribed herein.
12. Upon meeting all eligibility criteria, Financial Assistance will be paid to the property owner as shown on the latest final Assessment Roll.
13. A tax credit provided pursuant to this by-law does not terminate simply by reason of the sale of the eligible building project. Should the eligible building project be sold, the new owner shall be entitled to the remaining approved real property tax credit payable as per the terms outlined in this by-law, provided they complete and provide to the City of Winkler a new Commercial and Industrial Tax Credit Application Form and meet the eligibility requirements for the tax credit within sixty (60) days of the closing date of the purchase.
14. A tax credit provided pursuant to this by-law shall be terminated in the year following the eligible commercial or industrial building being demolished.
15. Supplementary assessments added in 2017 will be eligible for the tax credit as prescribed herein.

DONE AND PASSED as a by-law of the City of Winkler, in the Province of Manitoba, this 28th day of ~~March~~ A.D. 2017.



Mayor



City Manager

Read a first time this 14th day of March, 2017.
Read a second time this 28th day of March, 2017.
Read a third time this 28th day of March, 2017

**SCHEDULE "A" TO BY-LAW NO. 2179-17
COMMERCIAL & INDUSTRIAL TAX CREDIT
APPLICATION FORM**

Section 1. Applicant Information

1. Registered property owner's name: _____
Telephone: _____ Fax No: _____ Email address: _____
Address: _____ Postal Code: _____
Contact Person (if different from the registered property owner):
Name: _____ Representing: _____
Address: _____ Postal Code: _____
Telephone: _____ Fax No. _____ Email Address: _____

Section 2. Site Information

1. Civic address of the property _____ Postal Code: _____
2. Roll Number(s) of property _____
3. Current Assessment Value of Property Land \$ _____ Buildings \$ _____

Section 3. Project Proposal

1. Planned project start date: _____
Planned project completion date: _____
2. Briefly describe the scope of work of this project that you consider eligible for a tax credit program.

3. What is the estimated value of the construction to be undertaken? _____

By signing this application, the applicant confirms they have reviewed By-Law 2179-17, understand the contents and intent of the by-law and that the information provided in the application and supporting documents is true and accurate. Further the applicant agrees that should the information supplied to the City of Winkler prove to be false or inaccurate, resulting in ineligibility for the tax credit in part or whole, tax credits received to date are owed to the City of Winkler.

Applicant's Signature

Date

For internal use only:

Application accepted by: _____ Date: _____

This personal information is being collected under the authority of City of Winkler By-Law No. 2179-17 and will be used for issuance of a commercial/industrial tax credit.