

BY-LAW NO. 6875

BEING A BY-LAW of the City of Brandon to implement a residential tax abatement program for eligible properties in the City of Brandon.

WHEREAS Section 261.2 (1) of The Municipal Act , R.S.M. 1996, c. M225 authorizes the Council of a municipality to establish by by-law financial assistance programs;

AND WHEREAS the Council of The City of Brandon has recognized the importance of enhancing and encouraging the rejuvenation and renewal of mature neighborhoods in the City of Brandon;

AND WHEREAS the Council of The City of Brandon has deemed it necessary and expedient to pass a by-law for the purpose of establishing the terms and conditions for a financial assistance program that would encourage the renewal of these neighborhoods;

NOW THEREFORE the Council of The City of Brandon, 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 redevelopment under the Residential Tax Abatement Financial Assistance Program.
 - (b) **FINANCIAL ASSISTANCE** means a tax credit for municipal taxes.
 - (c) **MUNICIPAL TAXES** means the property taxes imposed for municipal purposes by the municipality.
 - (d) **MUNICIPALITY** means the City of Brandon.
 - (e) **OWNER** means a person who is the registered owner under The Real Property Act of land on which a building is located, or the granted thereof of a valid conveyance registered under The Registry Act, or an agent of either such owner.
 - (f) **REDEVELOPMENT** means the preservation, restoration, structural repair and/or stabilization of an existing residential building.
 - (g) **RESIDENTIAL PROPERTY** means any building or structure which has been used, is used, or is capable of being used solely for the purposes of human habitation whereby such premises has been identified as such in the City of Brandon's Zoning By-law.
2. That a financial assistance program be established for residential properties within the City of Brandon whereby any new municipal taxes which may result from an increase in the assessed value of a property due to the redevelopment of that property would be eligible for a tax credit for a period of five (5) years commencing in the year following the base year.
3. The tax credit for Years 1 to 5 inclusive of the Residential Tax Abatement Financial Assistance Program, whereby Year 1 shall be considered to be the year in which the redevelopment is completed, shall be calculated to equal the ordinary municipal taxes for property in a given year, less the taxes for the base year;
4. Eligibility for financial assistance under this by-law shall be determined in accordance with the attached Schedule "A"– Residential Tax Abatement Financial Assistance Program Guidelines to this by-law.
5. All applications must comply with the following:
 - (a) the proposed redevelopment project must conform with all applicable provisions of the municipality's zoning and building by-laws, and with any applicable design approval process; and
 - (b) construction of the proposed project must not be commenced prior to approval of the tax credit.
6. Applications will be received on a first-come, first-served basis and shall be made in the form attached as "Schedule B" – Residential Tax Credit Application Form to this by-law. More than one application to this program per roll number shall be permitted provided the application does not relate to the same square footage as a previous application.
7. Redevelopment projects of residential properties must commence within the five years of the passing of this by-law to be eligible for the financial assistance program prescribed herein.

8. THAT this by-law shall come into force and take effect on the day following its passage.

DONE AND PASSED by the Council of The City of Brandon in a meeting duly assembled this 23rd day of July A.D. 2007.

“D. K. Burgess”
MAYOR

“J. Swidnicki”
A/CITY CLERK

Read a first time this 25th day of June A.D. 2007

Read a second time this 23rd day of July A.D. 2007

Read a third time this 23rd day of July A.D. 2007

I, Joni Denise Swidnicki, Acting City Clerk of the City of Brandon, DO HEREBY CERTIFY the above to be a true and correct copy of By-law No. 6875.

J. Swidnicki, A/City Clerk

**City of Brandon
Residential Tax Abatement
Financial Assistance Program Guidelines**

This program is designed to assist the owner(s) of mature residential properties located within the City of Brandon in the redevelopment of these historic properties.

The program's objective is to enhance and encourage the rejuvenation and renewal of mature neighborhoods in the City of Brandon.

A. Eligibility

In order to receive a municipal tax credit under this program, an application must meet all of the following criteria:

1. Residences must be at least 80 years of age.
2. The applicant must have submitted all information required in the Residential Tax Credit Application Form prior to commencement of any work. A residential tax credit will not be provided for work completed prior to grant approval.
- 3.. All work must comply with all applicable zoning by-laws, design approval processes, etc.

B. Eligible Work Items

Eligible projects include, but are not limited to:

1. Exterior and interior restoration of a building;
2. Structural repair and stabilization;
3. Work required to upgrade the building to contemporary standards, including:
 - Repair/replacement of electrical, mechanical and plumbing systems
 - Fire sprinklering as required by the Manitoba Building Codes
 - New interior construction
 - Energy efficiency upgrading of the building
 - Asbestos removal and other environmental abatement requirements
 - Handicap access requirements

C. Administrative Procedure

1. Application forms are accepted and reviewed on a first-come, first served basis and shall be made to the Treasury Department of the City of Brandon. Applications will not be accepted until all required information as outlined in the Residential Tax Credit Application is supplied.
2. All required permits, certificates and other authorizations must be obtained before the project commences construction.
3. Before the release of any tax credits, the project must be substantially completed and all outstanding taxes, utility charges or other property related amounts owing to the municipal government must be paid.

SCHEDULE "B" TO BY-LAW NO. 6875

**RESIDENTIAL TAX CREDIT
APPLICATION FORM**

Please read the Programs Guidelines and all instructions before completing this application form. Attach additional support material. Applications must be complete. Please type or print clearly.

Section 1. Applicant Information

1. What is the name and address of the registered property owner?

Owner's Name: _____

Telephone: _____ Fax No: _____ Email address: _____

Address: _____ Postal Code: _____

Contact Person: _____

Address: _____ Postal Code: _____

Telephone: _____ Fax No. _____ Email address: _____

Section 2. Site Information

1. What is the 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. Project Title: _____

2. What are the planned project start and completion dates?

Start Date: _____ Completion Date: _____

3. Briefly describe the scope of work of this project that you consider eligible for a grant from this program.

Applicant's Signature

Date

For internal use only:

Application accepted by: _____ Date: _____

This personal information is being collected under the authority of City of Brandon By-law No. 6875 and will be used for issuance of a residential tax credit.

It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection, contact Joni Swidnicki, Clerk's Department, 410-9th Street, Brandon, MB R7A 6A2, (204) 729-2210.