

BY-LAW NO. 6814

AS AMENDED BY BY-LAW NO. 6996 AND 7137.

BEING A BY-LAW of the City of Brandon to create a “Renaissance District” in the City of Brandon and implement a tax abatement program for eligible properties in the district to encourage and assist in the renovation and redevelopment of buildings in Downtown 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 the attractiveness of investing and locating in Downtown 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 creating a district in Downtown Brandon and establishing the terms and conditions for a financial assistance program within that district;

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

1. In this by-law,
 - (a) **MUNICIPALITY** means the City of Brandon.
 - (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) **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.
 - (e) **REDEVELOPMENT** means the preservation, restoration, structural repair and/or stabilization of an existing building.
 - (f) **BASE YEAR** means the year prior to the year in which the property is re-assessed as a result of redevelopment under the Renaissance District Financial Assistance Program
2. That a Renaissance District be established in the City of Brandon with said district to be as set out in Schedule “A” and as shown on Schedule “B”, both attached hereto and forming part of this by-law.
3.
 - (a) That a financial assistance program be established for properties within the Renaissance District 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 ten (10) years commencing in the year following the base year.
 - (b) Properties must be developed as commercial, commercial/residential, or residential uses in the Renaissance District.
4.
 - (a) The tax credit for Years 1 to 5 inclusive of the Renaissance District 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;
 - (b) The tax credit for Years 6 to 10 inclusive of the Renaissance District Financial Assistance Program shall be calculated to equal the ordinary municipal taxes for a property in a given year, less the taxes for the base year, multiplied by 50%.
5. Eligibility for financial assistance under this by-law shall be determined in accordance with the attached Schedule “C”– Renaissance District Financial Assistance Program Guidelines to this by-law.

6. 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.
7. Applications will be received on a first-come, first-served basis and shall be made in the form attached as "Schedule D" – Renaissance District 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.
8. Redevelopment projects of properties in the Renaissance District will be eligible for the financial assistance program prescribed herein provided the project has commenced prior to the repeal of this by-law.
[AM. B/L 6996, AM. B/L 7137]
9. Owners of properties that are not within the boundaries of the Renaissance District may make separate application to the Council of the City of Brandon to qualify for a tax credit under the criteria herein.
10. 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 20th day of February A.D. 2006.

"D. K. Burgess"
MAYOR

"C. R. Arvisais"
CITY CLERK

Read a first time this	6 th	day of	February	A.D. 2006
Read a second time this	20 th	day of	February	A.D. 2006
Read a third time this	20 th	day of	February	A.D. 2006

I, Heather Coreen Ewasiuk, Clerk of the City of Brandon, DO HEREBY CERTIFY the above to be a true and correct copy of By-law No. 6814, as amended by By-law Nos. 6996 and 7137.



H. Ewasiuk, City Clerk

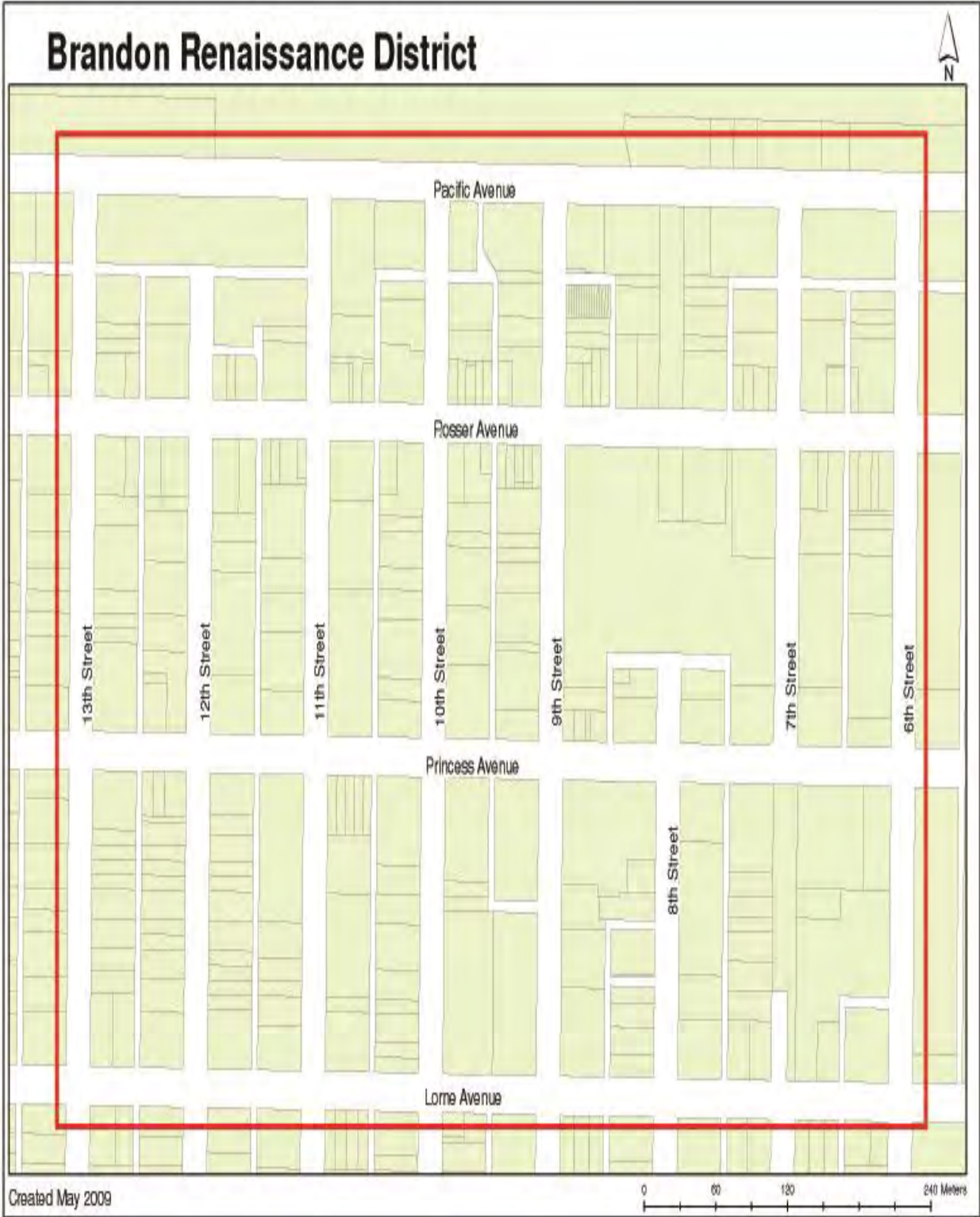
SCHEDULE “A” TO BY-LAW NO. 6814

**DESCRIPTION OF THE BOUNDARIES OF
THE RENAISSANCE DISTRICT OF THE CITY OF BRANDON**

The Renaissance District comprises all lands contained with the following boundary, which commences at the west side of 13th Street and the south limit of the C.P. R. Right-of way, being Plan No. 50, and then extends southerly along the said west side of 13th Street (inclusive of those properties fronting onto the west side of 13th Street) to the south side of Lorne Avenue; then easterly along the south side of Lorne Avenue to the east side of 6th Street (inclusive of those properties fronting onto the south side of Lorne Avenue); then northerly along the said east side of 6th Street ((inclusive of those properties fronting onto the east side of 6th Street) to the south limit of the CPR. Right-of-way, being Plan No. 50; then westerly along the said south limit of C.P.R. Right-of-way, being Plan No. 50 to the point of commencement.

SCHEDULE “B” TO BY-LAW NO. 6814

PROPOSED RENAISSANCE DISTRICT



**City of Brandon
Renaissance District
Financial Assistance Program Guidelines**

This program is designed to assist the owner(s) or lessees of a building located within the Renaissance District in the redevelopment of these historic properties.

The program's objective is to enhance the attractiveness of investing and locating in the historic buildings of Downtown Brandon.

A. Eligibility

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

1. Buildings must be at least 80 years of age.
2. Properties must be developed as commercial, commercial/residential mix, or residential uses in the Renaissance District.
3. The applicant must have submitted all information required in the Renaissance District Tax Credit Application Form.
4. All proposed redevelopment work must be approved by the Development Services Division of the City of Brandon prior to commencement. A Renaissance District tax credit will not be provided for work completed prior to grant approval.
5. 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 Development Services Division of the City of Brandon. Applications will not be accepted until all required information as outlined in the Renaissance 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 amounts owing to the municipal government must be paid.

RENAISSANCE DISTRICT 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: _____ Representing: _____

Telephone: _____ Fax No: _____ Email address: _____

Address: _____ Postal Code: _____

Contact Person: _____ Representing: _____

Address: _____ Postal Code: _____

Telephone: _____ Fax No. _____ Email address: _____
2.

What is the name and address of the site lessee, if applicable?

Lessee’s Name: _____ Representing: _____

Telephone: _____ Fax No: _____ Email address: _____

Address: _____ Postal Code: _____

Contact Person: _____ Representing: _____

Address: _____ Postal Code: _____

Telephone: _____ Fax No: _____ Email address: _____

Section 2. Site Information

1.

What is the name of the property?

2.

What is the address of the property?

_____ Postal Code: _____
3.

Roll Number(s) of property?

4.

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.

What is the present use of the building?

4.

What will the building be used for after project completion?

5.

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

For internal use only:

Application accepted by: _____

Date: _____