



**BYLAW NO. 2024-04
OF THE
VILLAGE OF MYRNAM**

BEING A BYLAW OF THE VILLAGE OF MYRNAM, IN THE PROVINCE OF ALBERTA, FOR
THE PURPOSE OF PROVIDING PROPERTY TAX INCENTIVES FOR NEW RESIDENTIAL
DEVELOPMENT AND EXPANSIONS OR RENOVATIONS

WHEREAS section 347(1)(b) of the *Municipal Government Act*, RSA 2000, Chapter M-26, and amendments thereto allows a Council to pass a bylaw for the purpose of encouraging the development or revitalization of residential properties for the general benefit of the municipality by cancelling or refunding all or part of a tax;

AND WHEREAS Council recognizes the importance of revitalizing our built environment to promote economic growth, enhance community vitality, and improve quality of life;

NOW THEREFORE, the Council of the Village of Myrnam in the Province of Alberta, duly assembled, hereby enacts as follows:

NOW THEREFORE, the Council of the Village of Myrnam duly assembled, enacts as follows:

1. TITLE

1.1 This Bylaw may be called the “Residential Development Incentive Bylaw”.

2. DEFINITIONS

2.1 “Act” means the *Municipal Government Act, RSA 2000, Chapter M-26*, as amended from time to time;

2.2 “Abandoned Property” means a property that has been abandoned by the owner, or a property that is unkept, or derelict, with or without tenants;

2.3 “C.A.O.” means the Chief Administrative Officer, or their designate, for the Village of Myrnam;

2.4 “Contacted Assessor” means the contacted entity that provides assessment services to the Village.

2.5 “Council” means the municipal Council for the Village of Myrnam;

2.6 “Derelict Property” means a run down, unkept property that is not suitable for habitants or business activities;

2.7 “Land Use Bylaw” means a bylaw passed by the municipality that governs the use of lands which is subject to change;

2.8 “Poor Conditioned Property” means a property that has aged and requires revitalization to refresh the livability, or to bring the property into code compliance;

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- 2.9 “Renovation” means the process of repairing, renewing, or restoring to a viable condition;
- 2.10 “Tax Credit” means a one-time refund that is non-transferrable and applied to a tax roll as a residential development incentive;
- 2.11 “Village” means the Village of Myrnam; and
- 2.12 “Vacant Property” means a property that is not inhabited. It may be derelict, vacant, or abandoned.

3. RESIDENTIAL DEVELOPMENT INCENTIVE

- 3.1 This incentive is applicable to demolition, new construction, or Expansion or Renovation on residential properties within the Village. Residential Developments or demolitions may receive a Tax Credit from the date of occupancy, being granted for the Development.
- 3.2 A tax credit may be applied to the tax roll after the occupancy permit is received and verified, and the assessor has conducted an updated assessment.
- 3.3 A point of occupancy is received in written form from The Inspections Group Inc. or a similar company, subject to mutual agreement, when a development is complete and ready for occupancy. A copy of the occupancy permit must be provided to the Village.
- 3.4 The property assessment is determined by the Village’s contacted assessor during their annual inspection cycle. Inspection outside of the annual inspection cycle may be completed at the property owner’s cost.
- 3.5 For a renovation or new construction to be eligible for the tax credit, the renovation or new construction must have increased the property’s assessment by at least 100,000.

3.6 Tax credit may be applied as follows:

Demolition of primary building only	600
Increase in assessment	100,000-500,000
Partial or Full Demolition with complete or full rebuild	2,000
Full Renovation	2,000
New Construction	4,000

- 3.7 Projects undertaking residential construction tailored to meet the needs of families (3 or more bedrooms, and minimum of 1,000 square feet) may be eligible for 1.5 times the approved tax credit.
- 3.8 Tax Credit is applied to the tax roll however school and lodge requisitions are due and payable in the year they are imposed by the deadline set in the Village’s Tax Penalty Bylaw.

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4. ELIGIBILITY

- 4.1 To be eligible for the Residential Development Incentive, an application must meet all the following criteria:
- 4.1.1 The Applicant must have an ownership interest in the property to be demolished or constructed;
 - 4.1.2 The subject non-residential property must be located within the geographical boundary of the Village;
 - 4.1.3 The subject non-residential property must not be tied up in bankruptcy;
 - 4.1.4 The Applicant must have no outstanding monies owing to the Village;
 - 4.1.5 The Applicant must make a capital investment to expand, improve or renovate the non-residential property resulting in an increased assessment value by at least \$100,000 by the end of year two from when the Development permit was issued (except demolition only project);
 - 4.1.6 The Application must be received before the issuance of a building permit;
 - 4.1.7 All required municipal, provincial, and/or federal permits must be in place;
 - 4.1.8 Full compliance with the Land Use Bylaw, including but not limited to, any statutory plan, subdivision plan, approval and conditions, Development agreement, Safety Code Act, Alberta Building Code, Alberta Fire Code and permits. Failure to submit required documents evidencing compliance by the Applicant shall result in the forfeit of all rights to the Development Incentive;
 - 4.1.9 During the incentive period, all property and other taxes levied on the eligible property are to be kept current.
 - 4.1.10 The following improvements, structure of principles buildings are not eligible for the Incentive under this policy:
 - 4.1.1.1 Non- permanent or movable buildings or structures including mobile homes, new garages or any other accessory buildings, or any other non-principal building as deemed by the Village;
 - 4.1.11 The applicant must have their application approved by the Village.

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5. TRANSPARENCY

- 5.1 The process of applying for and receiving tax credits will be transparent, with clear guidelines, and application procedures.

6. ACCOUNTABILITY

- 6.1 Property owners receiving tax credits will be required to demonstrate progress and compliance with approved revitalization or demolition plans to receive and maintain incentives.

7. APPLICATION FOR A TAX CREDIT

- 7.1 To apply for a Tax Credit, Applicants shall provide a complete application package including an application form provided by Administration and all supporting documents required in Section 4.
- 7.2 Administration has the discretion to reject applications and Administration will advise Applicants in writing if their application is rejected.
- 7.3 Applicants whose application is returned as incomplete or illegible may resubmit their application.
- 7.4 Administration will advise Applicants in writing if their application is accepted for consideration.

8. CONSIDERATION OF APPLICATION

- 8.1 Administration will consider each application in accordance with this Bylaw to determine if they meet the criteria and requirements for a Tax Credit and forward it for Council decision at the following regular Council meeting.
- 8.2 Council will consider each application in accordance with this Bylaw to determine if they meet the criteria and requirements for a Tax Credit and:
- 8.2.1 Grant the Tax Credit and enter into a Residential Development Incentive Agreement; or,
- 8.2.2 Reject the application and advise the Applicant with the written reasons as to why.
- 8.3 Administration is authorized to enter into a Residential Development Incentive Agreement with the Applicant if Application is approved by Council. The Non-Residential Development Incentive Agreement must include:

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8.3.1 The taxation year to which the Tax Credit applies; and,

8.3.2 The details of the Tax Credit.

8.4 An Applicant may not make subsequent applications for a Tax Credit in respect of the same residential property.

9. INVESTMENT INCENTIVE AGREEMENT

9.1 Administration shall draft a Residential Development Incentive Agreement.

9.2 The Residential Development Incentive Agreement must outline:

9.2.1 The taxation year to which the Tax Credit applies, which must not include any taxation year earlier than the taxation year in which the Tax Credit is granted;

9.2.2 Any criteria in Section 4 which formed the basis of granting the Tax Credit and the taxation year or years to which the criteria apply, all of which are deemed to be a condition or conditions of the Residential Development Incentive Agreement a breach of which will result in the cancellation of the Tax Credit for the taxation year to which the criteria apply; and,

9.2.3 Any other conditions and the taxation year or years to which the condition applies.

9.3 The Residential Development Incentive Agreement shall be endorsed by the CAO and Mayor.

10. CANCELLATION OF INVESTMENT INCENTIVE AGREEMENT

10.1 The Residential Development Incentive Agreement may be cancelled if:

10.1.1 If the Applicant did not meet or ceased to meet any of the applicable criteria in Section 4 which formed the basis of granting the Tax Credit;

10.1.2 There was a breach of any condition of the Residential Development Incentive Agreement;

10.1.3 The Development has not been substantially completed within two years of the date of the development permit issuance; or,

10.1.4 The registered owners of the property, to which the Development Incentive was granted, sell the property. Upon transfer of ownership, the Development Incentive shall cease.

10.2 Administration shall send a notice of cancellation in writing to an Applicant whose Tax Credit was cancelled stating the reasons for the cancellation.

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11. INTENTION OF VILLAGE COUNCIL

11.1 It is the intention of the Village Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Village Council that if any provision of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

12. GENERAL

12.1 Should any section, subsection, clause or provision of this Bylaw be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this bylaw as a whole or any part thereof, other than the part so declared to be invalid.

12.2 This Bylaw shall come into full force and effect upon third and final reading.

READ a First time this 20th day of June 2024.

READ a Second time this 20th day of June 2024.

READ a Third time this 20th day of June 2024.

SIGNED AND PASSED this 20th day of June 2024.

VILLAGE OF MYRNAM

DONNA RUDOLF, MAYOR

ELSIE KIZIAK, CAO