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**A BYLAW OF THE TOWN OF SEXSMITH IN THE PROVINCE OF ALBERTA FOR THE  
PURPOSE OF PROVIDING FOR APPLICATIONS TO COUNCIL FOR TAX RELIEF**

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**WHEREAS** pursuant to the *Municipal Government Act*, s. 347, Council has the authority to cancel or reduce tax arrears, cancel or refund all or part of a tax and defer the collection of a tax, with or without conditions;

**NOW THEREFORE** the Council of the Town of Sexsmith, duly assembled, hereby enacts as follows:

1. This Bylaw may be referred to as the Tax Incentive Bylaw.
2. For the purposes of this Bylaw the following definitions shall apply:
  - (a) "Act" means the *Municipal Government Act*, RSA 2000, c. M-26, and amendments thereto.
  - (b) "Application" means an application for a tax incentive pursuant to this policy.
  - (c) "CAO" means the Chief Administrative Officer of the Town of Sexsmith.
  - (d) "Council" means the Council of the Town of Sexsmith.
  - (e) "Eligible Property" means:
    - (i) commercial or industrial property in the Town of Sexsmith on which new development or the construction of a new addition to an existing building has occurred, and;
    - (ii) vacant residential land being held for resale in the Town of Sexsmith created as a result of a subdivision of more than three (3) lots and which remains unsold. For the purposes of this Bylaw land shall be considered held for resale if listed or advertised for sale by any commercial means including but not limited to a realtor.
  - (f) "Tax Refund" means the refund of all or part of the municipal portion of the taxes for a property pursuant to s. 347(1)(b) of the Act.
3. The purpose of this Bylaw is to encourage and assist development in the Town of Sexsmith, and to establish the criteria that the Council will consider when determining whether to grant a Tax Refund.
4. The owner of an Eligible Property in the Town of Sexsmith may apply to Council for a Tax Refund in accordance with the procedure established in this Bylaw and the criteria outlined in Schedule "A" to this Bylaw.

BYLAW NO. 983 PROVIDING APPLICATION TO COUNCIL FOR TAX RELIEF  
TOWN OF SEXSMITH  
Municipal Government Act RSA 2000 Chapter M-26.1  
Part 10, Section 347  
Taxation

5. Applications for a Tax Refund in accordance with this Bylaw shall be made to the CAO in a form and with supporting documentation satisfactory to the Chief Administrative Officer, which shall include but is not limited to proof of payment of all outstanding taxes for the property that is the subject of the application and, in the case of new development or the construction of a new addition to an existing building, a valid development permit and building permit.
6. The CAO shall refer all complete Applications to Council for a decision in accordance with s. 347(1)(c) of the *Municipal Government Act* and the criteria set out in Schedule "A" to this Bylaw. All Applications are subject to approval by Council in its sole and unfettered discretion, which approval if provided shall be in the form of a Council resolution.
7. The duration of any Tax Refund granted pursuant to this Bylaw shall be limited to one (1) year. Council may in its sole and unfettered discretion consider an application for a further Tax Refund for the same property, for an additional one (1) year period, in accordance with s. 347(1)(c) of the *Municipal Government Act* and the criteria set out in Schedule "A" to this Bylaw.
8. Tax Refunds granted pursuant to this Bylaw apply to the municipal portion of property taxes only and do not include school or other requisitions.
9. Bylaw No. 915 is hereby repealed.
10. Notwithstanding anything to the contrary in sections 5.3.9 and 6.3.6 of Bylaw No. 757, this Bylaw shall come into effect upon third and final reading.

Read a first time this 15<sup>th</sup> day of July, 2019.

Read a second time this 15<sup>th</sup> day of July, 2019

Read a third time and finally passed this 15<sup>th</sup> day of July, 2019.



Kate Potter  
Mayor



Rachel Wueschner  
Chief Administrative Officer

**SCHEDULE "A"**  
**CRITERIA FOR TAX REFUNDS**  
**BYLAW NO. 983**

1. In order to be eligible for consideration for a Tax Refund under the Bylaw:
  - a. a commercial or industrial property must:
    - i. be located in a commercial or industrial land use district in the Town of Sexsmith;
    - ii. be the site of new development (i.e., the construction of a new building or buildings or improvements) or the construction of a new addition to an existing building of a commercial or industrial nature, and;
    - iii. comply with the requirements of the Town's Land Use Bylaw and any other applicable municipal bylaws or regulation, as amended from time to time.
  - b. vacant residential land being held for resale must:
    - i. be located in a residential land use district in the Town of Sexsmith;
    - ii. be the result of a subdivision of more than three (3) lots, and;
    - iii. remain unsold, i.e., be owned by the owner of the lands prior to subdivision or applicant for subdivision.
2. An Application pursuant to the Bylaw must be made:
  - a. in the case of commercial or industrial properties, within one (1) year of the date of the assessment notice issued with respect to the property which reflects the increase in the assessed value of the property as the result of the development or the construction of a new addition to an existing building in question. In subsequent years, an Application must be made within one (1) year of the date of each subsequent assessment notice for the property;
  - b. in the case of vacant residential land being held for resale, within one (1) year of the date of the first assessment notice issued with respect to the property following the subdivision.

BYLAW NO. 983 PROVIDING APPLICATION TO COUNCIL FOR TAX RELIEF  
TOWN OF SEXSMITH  
Municipal Government Act RSA 2000 Chapter M-26.1  
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3. Eligibility for a Tax Refund pursuant to this Bylaw shall be determined based on the total assessed value of the property in question; provided however that an industrial or commercial property will not be eligible for consideration under this property unless the total increase in assessed value as a result of the development or the construction of a new addition to an existing building is \$50,000.00 or more.
4. Council shall take the following guidelines into account when considering an Application pursuant to the Bylaw:
  - a. New Commercial or Industrial Development
    - i. 50% in the first full year of operation, and;
    - ii. 25% in the second and third years of full operation.
  - b. Newly Constructed Addition to an Existing Building on a Commercial or Industrial Property
    - i. 25% in the first and second years of full operation.
  - c. Vacant Residential Land Being Held for Resale
    - i. 75% in the first taxation year following subdivision;
    - ii. 50% in the second taxation year following subdivision, and;
    - iii. 25% in the third taxation year following subdivision.

For the purposes of this Section 4, the first year of operation shall commence on the date of final inspection of the building permit for the development or newly constructed addition to the existing building in question.