

BYLAW 1689/25
BYLAW 1689-25 AMENDMENT TO HEARTLAND INCENTIVE BYLAW
STURGEON COUNTY, ALBERTA

A BYLAW OF STURGEON COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND THE HEARTLAND INCENTIVE BYLAW NO 1552/21.

WHEREAS, Council passed Bylaw 1552/21, the Heartland Incentive Bylaw, to encourage the development or revitalization of non-residential properties and machinery and equipment for the general benefit of the municipality; and

AND WHEREAS, pursuant to section 191 of the Municipal Government Act, RSA 2000 c M-26, Council may by bylaw authorize the amendment of a bylaw of the municipality; and

AND WHEREAS, Council desires to allow project proponents with a current Tax Incentive Agreement to request an amendment to the same such that an Exemption may be increased to include additional work on an approved Project, or altered to account for updated Eligible Capital Costs.

NOW THEREFORE, the Council of Sturgeon County, in the Province of Alberta, duly assembled, enacts as follows:

1. Title

1.1. This Bylaw shall be referred to as the "Heartland Incentive Amendment Bylaw."

2. Purpose

That Bylaw 1552/21 be amended by:

2.1. Adding the following after section 2.1.1:

2.1.2 "Additional Work" means work in addition to the development contemplated within a prior application made under this Bylaw, and that is also within the Energy Value Chain or Associated Infrastructure on an Approved Project;

2.2. Removing section 2.1.4. and replacing it with:

2.1.4. "Applicant" means a person who applies for an Exemption or an amendment to a current Tax Incentive Agreement;

2.3. Removing section 2.1.5. and replacing it with:

2.1.5. "Application Fee" means the fees established by this Bylaw to be paid at the time an application is submitted pursuant to this Bylaw;

2.4. Adding the following after section 2.1.5:

2.1.6. "Approved Project" means a Project that is the subject of a current Tax Incentive Agreement;

2.5. Adding the following after section 2.1.26:

2.1.27. "Recipient" means a person who is a party to a current Tax Incentive Agreement;

2.6. Adding the following after section 7 – Cancellation of Exemption:

8. Amending a Tax Incentive Agreement

8.1. A Recipient may apply to the County to amend a Tax Incentive Agreement if:

8.1.1. they will be completing Additional Work; or

8.1.2. they have completed an Approved Project and the actual total capital costs incurred to build the Approved Project differ from the estimated Eligible Capital Costs in a Tax Incentive Agreement.

8.2. In no case may a Tax Incentive Agreement be amended to grant an additional term, or extend the term of a Tax Incentive Agreement.

9. Eligibility to Amend a Tax Incentive Agreement

9.1. To be eligible to apply to amend a Tax Incentive Agreement under section 8.1.1., the following criteria must be met:

9.1.1. Requirements for Additional Work – the Additional Work must deploy Eligible Capital Costs of at least \$20 million (Canadian dollars).

9.1.2. Requirements for a Qualifying Property – the Qualifying Property must meet all of the criteria prescribed in section 3.1.2 of the Bylaw.

9.1.3. Requirements for Applicant – the Applicant must:

- (a) meet all of the criteria prescribed in section 3.1.3 of the Bylaw; and
- (b) be a Recipient who is not in default of an existing Tax Incentive Agreement.

9.2. To be eligible to apply to amend a Tax Incentive Agreement under section 8.1.2., the following criteria must be met:

9.2.1. Requirements for Applicant – the Applicant must:

- (a) meet all of the criteria prescribed in section 3.1.3 of the Bylaw; and
- (b) be a Recipient who is not in default of an existing Tax Incentive Agreement.

10. Applying to Amend a Tax Incentive Agreement

10.1. Application Process

10.1.1. Applicants must submit a Complete Application to the County, and the County has the discretion to reject applications that are incomplete, ineligible or provided after the deadline provided in this Bylaw;

10.1.2. Applicants must submit a non-refundable application fee in the amount of \$1000.00 (Canadian dollars);

10.1.3. Notwithstanding the Complete Application requirements, the County may require any additional information that, in the discretion of the County, is necessary to complete the application;

10.1.4. The County will advise Applicants in writing if their application is accepted for consideration. Applications accepted for consideration shall become the property of the County and may not be returned; and

10.1.5. If an Applicant is applying to amend a Tax Incentive Agreement on the basis of completing Additional Work:

(a) a Complete Application must be received before any development associated with the Additional Work has commenced;

(b) Applicants whose applications are returned as incomplete or ineligible may resubmit an application provided the application is resubmitted by the deadline; and

(c) Complete Applications may be considered and approved in accordance with this Bylaw before construction on the Additional Work is complete, however, an amended Exemption will not apply until all construction of the Additional Work is complete, the development is inspected and approved, and the Commercial Operation Date takes place.

10.2. Consideration Process

10.2.1. The Program Officer shall receive and consider Complete Applications for an amendment within the provisions of this Bylaw and may consult with, obtain information from, and verify information with other employees or agents of the County, other governments, government agencies, or persons.

10.2.2. The Program Officer, may, at any time, require the Applicant to provide any documents the Program Officer deems necessary to verify any information contained in the application or to confirm ongoing compliance with the eligibility criteria of the Exemption.

10.2.3. The Program Officer shall consider each application and make recommendations to the CAO to:

- (a) Enter into an amended Tax Incentive Agreement with the Applicant, or;
- (b) Reject the application and advise the Applicant with written reasons as to why.

10.2.4. The CAO shall enter into an amended Tax Incentive Agreement with a successful Applicant.

10.2.5. The Program Officer may delegate any duty or responsibility of the Program Officer to an employee or agent of the County.

3. Severability

- 3.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

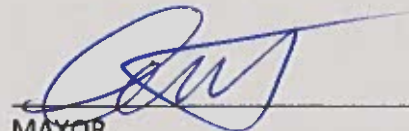
4. Effective Date

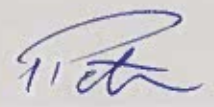
- 4.1. This Bylaw shall come into force and take effect on the date that it is passed.

Read a first time this 24th day of June, 2025.

Read a second time this 15th day of July, 2025.

Read a third time this 15th day of July, 2025.


MAYOR


CHIEF ADMINISTRATIVE OFFICER


DATE SIGNED