Bylaw No. 9762

The Home Energy Loan Program Bylaw, 2021

Codified to Bylaw No. 10206
(August 26, 2026)

BYLAW NO. 9762

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The Council of the City of Saskatoon enacts:

PART I
Preliminary Matters

Short Title

1. This Bylaw may be cited as *The Home Energy Loan Program Bylaw, 2021.*

Definitions

2. In this Bylaw:

(a) **"amount due"** means the amount owed by a property owner to the City arising from the installation of eligible projects and includes:

(i) the applicable administrative fee;

(ii) interest; and

(iii) costs of energy audits;

(a.1) **"condominium"** means a building that has been divided into units by the issuance of titles pursuant to an approved condominium plan in accordance with *The Condominium Property Act, 1993*;

(b) **"deferred taxes"** means an amount due that has been added to the tax roll of a property pursuant to section 281.3 of *The Cities Act*, the collection of which has been deferred pursuant to the Program;

(b.1) **"dwelling unit"** means a unit intended to accommodate one family which contains a separate set of living quarters, sleeping facilities, sanitary facilities and one kitchen or set of kitchen components where all rooms are accessible from the interior of the dwelling unit;

(c) **"eligible project"** means an environmental improvements project within the meaning of section 9, the costs of which are eligible to be added to the tax roll of a property;

(d) **“environmental improvements”** means any work or project that reduces harm to the environment, including upgrades to improve energy efficiency or reduce water consumption;

(e) **“household income”** means the total income of all persons who live or ordinarily reside in a dwelling unit;

(f) **“LICO”** means the low-income cut-offs that are periodically published by Statistics Canada;

(g) **“low income property owner”** means a property owner with an annual household income that falls below an amount equal to 2.5 times the applicable LICO threshold;

(h) **“Program”** means the Home Energy Loan Program established pursuant to section 5;

(i) **“property owner”** or **“owner”** means the registered owner of a property;

(j) **“residential property”** means land and improvements used or intended to be used for a residential purpose but does not include improvements not permanently affixed to the land, including modular and mobile homes;

(k) (Repealed – Bylaw No. 10206 – August 26, 2026)

(l) **“tax arrears”** does not include deferred taxes or any amounts the collection of which the City has deferred pursuant to any other program, policy or bylaw.

Purpose

3. The purpose of this Bylaw is to establish the Home Energy Loan Program to encourage energy efficiency renovations, renewable energy installations, water conservation improvements, electric vehicle charging stations, battery storage technology and other environmental improvements for properties in the City.

Paramountcy

4. In the event of an inconsistency between this Bylaw and *The Cities Act* or any regulations enacted pursuant to *The Cities Act,* the Act or the regulations prevail.

PART II
The Home Energy Loan Program

Program Established

5. The Home Energy Loan Program is established.

Purpose of Program

6. The purpose of the Program is to allow eligible property owners to add the costs of eligible projects to the tax roll of their property so that payment of these costs may be made over multiple years.

Application to Enroll in Program

7. (1) To enroll in the Program, a property owner must, prior to installing environmental improvements, submit an application to the City in a form acceptable to the City.

(2) Property owners who meet the City's eligibility criteria and the requirements of this Bylaw may, at the sole discretion of the City, be enrolled in the Program.

Deadline to Enter into Agreement with City

7.1 (1) A property owner must, subject to an extension of time being granted by the City, enter into a deferral agreement with the City within four months of the date the property owner is enrolled in the Program by the City.

(2) An extension of time to enter into a deferral agreement with the City may be granted by the City, subject to the property owner satisfying the City, in writing, that extenuating circumstances beyond the property owner's control exist to justify the extension.

(3) A property owner who fails to enter into a deferral agreement with the City within the time required by the City may be removed from the Program but may be eligible to subsequently reapply.

Eligibility Criteria

8. (1) To qualify for the Program:

(a) the property at which the environmental improvements will be installed must:

(i) not be in tax arrears;

(ii) be a residential property;

(iii) be located in the City;

(iv) have a single land title;

(v) not share a common entrance with any other dwelling unit;

(vi) either:

(A) not share a heating or cooling system with any other dwelling unit; or

(B) intend to install individual heating or cooling systems through the Program; and

(vii) be capable of being subject to an individual energy audit;

(b) an applicant must:

(i) be an individual;

(ii) be the owner of the property at which the environmental improvements will be installed;

(iii) be in good standing in respect to their utilities and any other municipal charges and have a satisfactory payment history, as determined by the City; and

(iv) represent and warrant that all owners of the property consent to enrollment in the Program and agree to comply with all terms and conditions of the Program;

(b.1) in the case of a property that is a condominium, the condominium board and any owner that may be affected by the proposed work must consent to the property owner participating in the Program;

(c) the environmental improvements must constitute eligible projects; and

(d) the costs to complete the environmental improvements must be at least $1,000.00, exclusive of interest, the administrative fee and the costs of energy audits.

(2) Subject to section 12, an applicant may be permitted to participate in the Program more than once for the same property provided that all Program criteria are met.

Eligible Projects

9. (1) The list of environmental improvement projects that may be eligible for the Program are set out in Schedule “A”.

(2) Notwithstanding subsection (1), the City shall determine in all cases whether a particular project is an eligible project.

(3) To be eligible for the Program, environmental improvement projects must:

(a) comply with all legal requirements, including building code requirements; and

(b) meet all technical and specification requirements of the City.

Energy Audits

10. (1) Prior to entering into a deferral agreement:

(a) a preliminary energy audit must be performed at the property; and

(b) the results of the evaluation mentioned in clause (a) must be provided to the City.

(2) The preliminary energy audit mentioned in subsection (1):

(a) may be completed before or after applying for the Program but, where completed before, must have been completed not earlier than five years before the date of receipt by the City of the property owner’s application to enroll in the Program; and

(b) shall provide recommendations on which upgrades would have the greatest impact on energy use, utility bills, greenhouse gases and comfort.

(3) After the environmental improvements have been installed:

(a) a final energy audit must be performed at the property; and

(b) subject to an extension of time being granted by the City, the results of the final energy audit must be provided to the City within 30 days of the date of the evaluation.

(3.1) An extension of time to provide the results of the final energy audit to the City after the environmental improvements have been installed may be granted by the City, subject to the property owner satisfying the City, in writing, that extenuating circumstances beyond the property owner’s control exist to justify the extension. An extension granted under this subsection (3.1) may only be granted for a period up to 12 months of the effective date of a deferral agreement.

(4) Energy audits must be performed by a certified energy advisor using the EnerGuide Rating Service.

(5) The costs of energy audits performed after the date of receipt by the City of a property owner's application may, subject to funding availability, be eligible for grants or subsidization from the City.

Time to Complete Project

11. (1) Subject to an extension of time being granted by the City, eligible projects must be completed and results of final energy audits must be received by the City within 12 months of the effective date of a deferral agreement.

(2) Notwithstanding subsection 10(3.1), an extension of time to complete eligible projects may be granted by the City, subject to the property owner satisfying the City, in writing, that extenuating circumstances beyond the property owner's control exist to justify the extension.

(3) A property owner who fails to complete eligible projects and submit the results of the final energy audit within the time required by the City may be removed from the Program and, if removed, any amount due:

(a) becomes immediately due and payable; and

(b) may be immediately added to the tax roll of the property.

Maximum Deferred Taxes

12. (1) Subject to subsection (2), the maximum amount due that may be added to the tax roll of a property is $40,000.00.

(2) If a property owner can demonstrate, to the satisfaction of the City, that installation of eligible projects will result in at least a 50% decrease in energy consumption, the City may permit the addition of an amount due of up to $60,000.00 to the tax roll of the property.

Work Performed by Contractors

13. (1) A property owner that chooses to have eligible projects completed by a contractor is eligible to add both costs of labour and costs of parts to the tax roll of the property.

(2) The City shall, after the eligible projects and a final energy audit have been completed, as verified by the City, pay directly to the contractor the amounts owing for costs of labour and costs of parts, up to the applicable maximum amount due that may be added to the tax roll.

(3) Notwithstanding subsection (2), the City may, at its sole discretion, make the following payments to a contractor in advance of the eligible projects and a final energy audit being completed:

(a) a payment of up to 50% of the total estimated costs of an eligible project as identified in the deferral agreement for the purpose of paying required deposits;

(b) an instalment payment, if:

(i) the work, in the opinion of the City, involves multiple eligible projects or multiple distinct aspects and the contractor demonstrates that one or more projects or aspects of the work have been completed; and

(ii) the contractor satisfies any other requirements of the City.

(4) Payments to contractors are contingent on the owner:

(a) providing the City with proof of costs, such as invoices, that is satisfactory to the City; and

(b) except in the case of payments made pursuant to subsection (3)(a), obtaining and closing any necessary building permits.

Work Performed Without Contractors

14. (1) A property owner that chooses to install eligible projects without using a contractor is:

(a) eligible to add the costs of parts to the tax roll of the property; and

(b) ineligible to add the costs of labour to the tax roll of the property.

(2) The City shall, after the eligible projects and a final energy audit have been completed, as verified by the City, pay to the owner the amounts owing for costs of parts, up to the applicable maximum amount due that may be added to the tax roll.

(3) Payments to owners are contingent on the owner:

(a) providing the City with proof of costs, such as receipts, that is satisfactory to the City; and

(b) obtaining and closing any necessary building permits.

Deferral Agreement

15. (1) An eligible property owner that intends to install eligible projects may, in accordance with the Program, enter into a deferral agreement with the City to pay the City the amount due over time through the payment of deferred taxes.

(2) For further certainty, eligible projects that are completed prior to the date a deferral agreement is signed are not eligible for deferral.

(3) The City may, at its sole discretion, allow a property owner to amend their planned project.

(4) Any changes agreed upon pursuant to subsection (3) shall be reflected through an amendment to the deferral agreement.

Contingency for Unforeseen Repairs or Minor Additions to Work

15.1 The City may, in its sole discretion, approve an increase of up to 5% of the total estimated costs of the work as identified in the deferral agreement, subject to the maximum amounts set out in section 12, to enable property owners to address unforeseen repairs or complete minor additional work.

Deferral Term

16. A property owner may select a deferral term of 5, 10, 15 or 20 years.

Addition of Amount Due to Tax Roll

17. (1) If the eligible projects are completed on or before September 30, the amount due, if unpaid, may be added to the tax roll of the property and form part of the taxes on January 1 of the next calendar year.

(2) If the eligible projects are completed after September 30, the amount due, if unpaid, may be added to the tax roll of the property and form part of the taxes on January 1 of the year following the next calendar year.

(3) Prior to adding the amount due to the tax roll of the property, the City may record the amount due as a pending liability.

Lien and Registration of Interest

18. (1) The amount due is, as stated in *The Cities Act*, a lien on the land at which the property is located.

(2) The City may at any time register its interest, including attaching a copy of the deferral agreement, on the title of the property.

Administrative Fee

19. (1) Subject to subsection (2), a property owner shall pay a non-refundable administrative fee of $750.00 to participate in the Program.

(2) Low income property owners are not required to pay an administrative fee.

Interest

20. (1) Property owners shall pay interest in the manner and at the rate identified in the deferral agreement.

(2) Interest shall begin to accrue on the date payments are made by the City to the property owner or contractor.

Payment of Deferred Taxes

21. (1) Subject to subsection (2) and any provision of this Bylaw that requires or permits earlier repayment, payment of deferred taxes shall be as follows:

(a) for a 5-year deferral, one fifth of the deferred taxes becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property, with one of the remaining fifths becoming due and payable on June 30 of each of the subsequent four calendar years;

(b) for a 10-year deferral, one tenth of the deferred taxes becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property, with one of the remaining tenths becoming due and payable on June 30 of each of the subsequent nine calendar years;

(b.1) for a 15-year deferral, one fifteenth of the deferred taxes becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property, with one of the remaining fifteenths becoming due and payable on June 30 of each of the subsequent 14 calendar years;

(c) for a 20-year deferral, one twentieth of the deferred taxes becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property, with one of the remaining twentieths becoming due and payable on June 30 of each of the subsequent nineteen calendar years.

(2) Interest shall be added to the tax roll of the property annually and becomes due and payable on June 30 of the calendar year in which the interest is added to the tax roll.

Early Repayment of Deferred Taxes

22. (1) A property owner may, at any time prior to the deferred taxes becoming due and payable pursuant to section 21, repay the full balance of deferred taxes or a portion of the deferred taxes without penalty.

(2) In the event the City receives funding to which a property owner is entitled, the City may apply the funding directly to the tax roll of the property owner to offset deferred taxes.

(3) In the event a property owner receives any government funding, rebate, grant or other money to offset the costs of the eligible projects, the property owner shall make a payment equal to the amount received to their property taxes to reduce the amount owing to the City.

Mandatory Early Repayment of Deferred Taxes

23. (1) Notwithstanding section 21 and subject to a deferral agreement being entered into pursuant to section 26:

(a) the total outstanding amount of deferred taxes becomes automatically due and owing upon any of the following:

(i) the property owner initiating bankruptcy proceedings;

(ii) foreclosure proceedings being initiated with respect to the property;

(iii) the death of a property owner, in cases where there is no surviving property owner that is subject to the deferral agreement;

(iv) the property being sold or otherwise transferred; and

(b) the City may require full repayment of the total outstanding amount of deferred taxes owing upon any of the following:

(i) the property owner failing to make any payment as required;

(ii) the property falling into tax arrears;

(iii) the property owner failing to comply with any other provision of this Bylaw or the deferral agreement.

(2) In cases where the City is requiring full repayment pursuant to clause (1)(b), the City shall notify the property owner of the amount of the deferred taxes that must be paid and the date by which they must be paid.

Duty to Notify City of Sale or Death

24. (1) A property owner shall notify the City:

(a) prior to an impending sale or other transfer of ownership of the property;

(b) in the event the property owner initiates bankruptcy proceedings or foreclosure proceedings with respect to the property;

(c) of any changes to contact information.

(2) If a property owner dies, a representative of the property owner's estate or any surviving owner shall, within 60 days of the property owner's death, notify the City that the property owner is deceased.

Penalties on Late Payments

25. If deferred taxes are not paid as required, the City may:

(a) impose penalties on the taxes outstanding at the rates established by Bylaw No. 6673, *A bylaw of the City of Saskatoon to provide for the payment of taxes and the application of discounts and penalties thereto*; and

(b) register a tax lien on the title of the property in accordance with *The Tax Enforcement Act*.

Agreements with Subsequent Owners

26. (1) In the case of a property being sold or otherwise transferred, the City may, alternative to requiring full repayment of the total outstanding amount of deferred taxes, enter into a deferral agreement with the new property owner to pay the deferred taxes over time.

(2) To be eligible to enter into a deferral agreement pursuant to subsection (1), the new owner of a property must satisfy the eligibility criteria set out in subclauses 8(1)(b)(i), (iii) and (iv).

Suspension or Cancellation of Program

27. The City may, at any time, stop enrolling applicants in the Program on either temporary or permanent basis.

PART III
Offences and Penalties

Offences and Penalties

28. (1) No person shall:

(a) furnish the City with false or misleading information relating to the Program;

(b) fail to notify the City of the death of a property owner;

(c) fail to notify the City of the sale of a property or fail to provide the City with the property owner's new address and contact information;

(d) fail to make any payment that is required to be made pursuant to this Bylaw or a deferral agreement; or

(e) contravene any other provision of this Bylaw.

(2) Every person who contravenes subsection (1) is guilty of an offence and liable on summary conviction:

(a) in the case of a first offence, to a fine of not less than $100.00 and not more than $500.00; and

(b) in the case of a second or subsequent offence, to a fine of not less than $200.00 and not more than $1,000.00.

Administration and Enforcement of Bylaw

29. (1) The administration and enforcement of this Bylaw is delegated to the Chief Financial Officer or their designate.

(2) The Chief Financial Officer or their designate is authorized to further delegate the administration and enforcement of this Bylaw, in whole or in part, to other employees of the City.

Coming into Force

30. This Bylaw comes into force on the day of its final passing.

Read a first time this 31st day of May, 2021.

Read a second time this 31st day of May, 2021.

Read a third time and passed this 31st day of May, 2021.

"Charlie Clark"	"Adam Tittemore"	"SEAL"
Mayor	City Clerk	

Schedule "A"

Energy Efficiency Projects

1. The following energy efficiency projects may be eligible for the Program:

   (a) air sealing, including caulking, weatherstripping, dock seals, air or vapour barriers and sealing around windows, doors, outlets, ceilings and similar leakage points;

   (b) cold climate air source heat pumps;

   (c) energy and heat recovery systems, including drain-water heat recovery systems, energy recovery ventilators and heat recovery ventilators;

   (d) energy efficient windows and exterior doors, including replacement windows, frames, glazing, seals, flashing, hardware and weatherstripping;

   (e) high-efficiency furnaces and boilers and related controls, venting, circulation and system design components;

   (f) insulation upgrades for basements, attics, exterior walls, foundations, headers and other building envelope assemblies;

   (g) smart thermostats;

   (h) water heating systems, including gas, tankless, gas storage and electric heat pump storage water heaters.

Renewable Energy Projects

2. The following renewable energy projects may be eligible for the Program:

   (a) geothermal heat pumps;

   (b) solar photovoltaic systems, including structural upgrades, system design and interconnection-related work;

   (c) solar thermal systems, including systems that generate heat for domestic hot water.

Water Conservation Projects

3. The following water conservation projects may be eligible for the Program:

(a) efficient irrigation systems, including smart irrigation controllers, drip irrigation and efficient nozzles;

(b) low-flow fixtures, including toilets, urinals, faucets and showerheads;

(c) permanently affixed rainwater catchment sized to hold 50 gallons of water or more.

Other Projects

4. The following other types of projects may be eligible for the Program:

(a) level 2 electric vehicle charging station systems, including installation costs;

(b) battery storage systems, including systems paired with renewable generation;

(c) window glazing and embedded markers for birds;

(d) health and safety work such as asbestos removal and mold remediation;

(e) other incidental work required to complete another eligible project, such as structural work, electric work, roof repairs, drywalling, exterior siding or other health and safety work.