

**CITY OF PRINCE GEORGE**

**BYLAW NO. 9087, 2020**

**A Bylaw of the City of Prince George to amend City of Prince George Downtown Revitalization Tax Exemption Bylaw No. 8370, 2011**

**WHEREAS** pursuant to Section 226 of the *Community Charter*, Council may, by bylaw, establish a revitalization tax exemption program for the purpose of encouraging revitalization in the City of Prince George;

**AND WHEREAS** Council enacted “City of Prince George Downtown Revitalization Tax Exemption Bylaw No. 8370, 2011”, to establish a revitalization tax exemption program;

**AND WHEREAS** Council deems it desirable to amend the “City of Prince George Downtown Revitalization Tax Exemption Bylaw No. 8370, 2011”, to encourage purpose-built rental housing, including student and senior housing projects, in the Revitalization Area to receive the Municipal Revitalization Provincial Property Tax Exemption;

**AND WHEREAS** Council deems it desirable to further amend the “City of Prince George Downtown Revitalization Tax Exemption Bylaw No. 8370, 2011”, to allow agreements initiated prior to December 13, 2019 to be honoured beyond the September 30, 2024 required completion date, by up to four years;

**AND WHEREAS** Council has given notice of its intent to adopt this Bylaw in accordance with Section 227 of the *Community Charter* and considered this Bylaw in conjunction with the objectives and policies set out in Section 165(3.1)(c) of the *Community Charter* in the City's financial plan.

**NOW THEREFORE** the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

- A. That “City of Prince George Downtown Revitalization Tax Exemption Bylaw No. 8370, 2011”, be amended as follows:
1. that Section 8 be deleted in its entirety and replaced with the following:

“In order for a Parcel to be considered for a Tax Exemption, the owner must:

    - (a) not later than the issuance of a building permit in respect of a Project involving the alteration of an existing improvement, and not later than the issuance of a final occupancy approval in respect of a Project involving the construction of a new improvement, apply to the City of Prince George in writing by submitting the following:
      - (i) a certificate that all taxes assessed and rates, charges and fees imposed on the Parcel have been paid, and, where taxes, rates or assessments are payable by instalments, that all instalments owing at the date of application have been paid;
      - (ii) a description of the Project;
      - (iii) documentation satisfactory to the City's Director of Planning and Development which discloses, or from which the City may readily determine, the estimated construction value of the Project; and
      - (iv) a fee in the amount prescribe by Section D-2 of the “Comprehensive Fees and Charges Bylaw No. 7557, 2004” as may be amended from time to time;
    - (b) complete the Project by September 30, 2024; and
    - (c) submit to the City of Prince George in a form acceptable to the Chief Financial Officer:

- (i) if the Project has received a final occupancy certificate on or before September 30 of the current year:
    - 1. confirmation of Project completion;
    - 2. documentation disclosing, or from which the City may readily determine, an accurate construction value of the Project; and
    - 3. a signed Agreement providing for an exemption starting the year after the current year; or
  - (ii) if the Project has received a final occupancy certificate between October 1 and December 31 of the current year:
    - 1. confirm of Project completion;
    - 2. documentation disclosing, or from which the City may readily determine, an accurate construction value of the Project; and
    - 3. a signed Agreement providing for an exemption starting the year following the year after the current year.”
- 2. that Schedule B *[Revitalization Tax Exemption Agreement]*, Recital C be deleted in its entirety and replaced with the following:
  - “C. Council’s objective in establishing the revitalization tax exemption program under the Bylaw is to encourage the revitalization of the downtown of the City of Prince George through encouraging medium and high density residential, purpose built residential rental including, without limitation student and senior housing, commercial, and LEED certified development;”
- 3. that Schedule B *[Revitalization Tax Exemption Agreement]*, Section 3 is amended as follows:
  - 3.1 by deleting subsection (a) and replacing with:

“Final occupancy must be received no later than September 30, 2024.”
  - 3.2 by deleting subsection (d)(i) in its entirety and replacing with the following:
    - “(i) documentation satisfactory to the City’s Director of Planning and Development which documentation discloses, or from which the City may readily determine, an accurate construction value of the Project (the **Certified Cost of the Project**);”
  - 3.3 by deleting subsection (b) in its entirety and replacing with the following:
    - “(b) The Property Owner will complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict accordance with the building permit and the plans and specifications attached hereto as Appendix “B”.”
- 4. that Schedule B *[Revitalization Tax Exemption Agreement]*, Appendix A *[Revitalization Tax Exemption Certificate]*, be deleted in its entirety and replaced with the form of certificate attached hereto as Schedule 1;

5. that Schedule C *[Qualifying Criteria and Extent of Tax Exemptions]*, be amended by deleting in its entirety, the first row contained in Table A – Revitalization Tax Exemption for Residential and Mixed-Use Development, and replacing with the following:

Description	Residential, Seniors, Student, or other purpose-built rental housing developments.  Area A: Medium density mixed use or high density multi-family development  Area B: Medium density multi-family development
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- B. The Mayor and Corporate Officer are hereby empowered to do all things necessary to give effect to this bylaw.
- C. This Bylaw may be cited for all purposes as “City of Prince George Downtown Revitalization Tax Exemption Bylaw No. 8370, 2011, Amendment Bylaw No. 9087, 2020”.

READ A FIRST TIME THIS                    **23<sup>RD</sup>**                    DAY OF                    **MARCH**                    2020.

READ A SECOND TIME THIS                    **23<sup>RD</sup>**                    DAY OF                    **MARCH**                    2020.

READ A THIRD TIME THIS                    **23<sup>RD</sup>**                    DAY OF                    **MARCH**                    2020.

Third reading passed by a **UNANIMOUS** decision of Members of City Council present and eligible to vote.

ADOPTED THIS                    \_\_\_\_\_ DAY OF                    \_\_\_\_\_ 2020,

BY A DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

## Schedule 1 to Bylaw No. 9087, 2020

## APPENDIX "A" to Schedule B to Bylaw 8370, 2011

## REVITALIZATION TAX EXEMPTION CERTIFICATE

Section 226 of the *Community Charter*, SBC 2003, c. 26

In accordance with the City of Prince George Revitalization Tax Exemption Bylaw No. 8370, 2011 (the "**Bylaw**"), and in accordance with a Revitalization Tax Exemption Agreement dated for reference the \_\_\_ day of \_\_, 20\_\_ (the "**Agreement**") entered into between the City of Prince George (the "**City**") and \_\_\_\_\_ (the "**Owner**"), the registered owner(s) of the property described below, this Tax Exemption Certificate certifies that the Property (as defined below) is subject to a revitalization tax exemption as set out below:

*Due to construction having taken place in the calendar years \_\_\_\_ to \_\_\_\_.*

*The exemption is defined as:*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (the "**Tax Exemption**")

This Tax Exemption Certificate is valid for taxation years \_\_\_\_ to \_\_\_\_.

The parcel(s) to which the Tax Exemption applies is in the City of Prince George and is legally described as: \_\_\_\_\_ (the "**Property**").

The Tax Exemption is provided on the following conditions:

1. the Owner does not breach any covenant, condition or obligation in the Agreement and performs all obligations to be performed by the Owner set out in the Agreement;
2. the Owner has not sold all or any portion of his or her equitable or legal fee simple interest in the Property without the transferee taking an assignment of the Agreement, and agreeing to be bound by it;
3. the Owner, or a successor in title to the Owner, has not allowed any non-exempt property taxes for the Property to go into arrears or to become delinquent;
4. the Owner, or a successor in title to the Owner, has not applied to amend the Prince George Zoning Bylaw No. 7850, 2007, as amended, consolidated or replaced from time to time, to rezone the Property from its C:1 Downtown zoning to any other zone;
5. the Property is not put to any use that is not permitted by the zoning for the Property; and
6. the Exempt Use (as defined in the Agreement) of the Project is not discontinued.

If any of the above-noted conditions are not met, then the City may cancel this Tax Exemption Certificate. In the event of such cancellation, the Owner will remit to the City, no later than 30 days after receiving notice from the City of the cancellation, an amount, as determined by the City, of municipal property taxes payable for the balance of the year from the date of cancellation of this Tax Exemption Certificate, calculated pro rata based on the annual amount of municipal taxes that would have been payable but for the Tax Exemption. The Owner will also pay to the City any amount of municipal property tax exemption enjoyed by the Owner while the Tax Exemption Certificate was in effect for any period during which the Owner was in breach of one or more of the above-noted conditions.

\_\_\_\_\_  
 Director of Finance

\_\_\_\_\_  
 Date