



**DOWNTOWN REVITALIZATION TAX EXEMPTION BYLAW
5391-2013**

THE FOLLOWING DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY and is a consolidation of "Downtown Revitalization Tax Exemption Bylaw 5391-2013" with the following amending bylaws:

Bylaw Number	Date Adopted	Section Amended
5683-2017 (a general fees and charges amending bylaw)	December 20, 2017	Preamble Section 6(d), 6(e), 9(a)(v)
5880-2019	December 19, 2019	Section 6(a), 6(d), and 6(e)
5957-2020	September 8, 2020	Schedule A, map
6146-2022	January 9, 2023	Section 6(a), 6(d), and 6(e) Remove Schedule B

Individual copies of any of the above bylaws are available from the Administration Department of the City of Mission. For legal purposes, copies of the original bylaws should be obtained.

**DISTRICT OF MISSION
BYLAW 5391-2013**

A bylaw to establish a revitalization tax exemption program

WHEREAS Council has established a Downtown Revitalization program;

AND WHEREAS Council may, by bylaw, establish a revitalization tax exemption program as part of the District's Downtown Development Incentive program;

AND WHEREAS the Council of the District of Mission wishes to establish a revitalization tax exemption program in the downtown area as outlined in Schedule "A", attached to and forming part of this Bylaw;

AND WHEREAS Council's objective in establishing the revitalization tax exemption program under this Bylaw is to encourage the revitalization of the downtown of the District of Mission through the encouragement of accelerated private investment in stand-alone or mixed commercial and residential new development and major redevelopment projects within the *MissionCity Downtown Action Plan Area*;

AND WHEREAS the *Community Charter* requires a municipality to set out in its Financial Plan, the objectives and policies in relation to the use of permissive tax exemptions and such provisions have been set out in the District of Mission Financial Plan Bylaws and are consistent with this Bylaw;

AND WHEREAS the *Community Charter* requires that notice be provided of the creation of such a revitalization tax exemption, and such notice has been provided;

NOW THEREFORE, the Council for the District of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "District of Mission Downtown Revitalization Tax Exemption Bylaw 5391-2013".
2. "District of Mission Revitalization Tax Exemption Bylaw 3828-2005" is hereby repealed.
3. In this Bylaw:

"Agreement – Revitalization Tax Exemption" means a Revitalization Tax Exemption agreement between the owner of a Parcel and the District, in the format attached to and forming part of this Bylaw as Schedule "B".

"Base Amount" means:

- (a) for a Project that includes the demolition of all existing improvements, the amount of Municipal Property Tax payable with respect to the land value of the Parcel during the Base Amount Year;
- (b) for a Project that involves the renovation or rehabilitation of existing improvements, the amount of Municipal Property Tax payable with respect to land and improvements during the Base Amount year.

"Base Amount Year" means the calendar year prior to the first calendar year in respect of which a Tax Exemption applies to a Parcel.

"Council" means the council of the District of Mission.

"Full Assessment" means the amount of municipal property tax that would be payable in respect of a Parcel without any Tax Exemption.

“Deputy Treasurer/Collector” means the District’s Deputy Treasurer/Collector.

“Municipal Property Tax” means the property value tax imposed by the District of Mission to raise municipal revenue under Section 197(1)(a) of the *Community Charter*.

“Parcel” or “Parcels” means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway and, for the purposes of this Bylaw, means a parcel(s) situated within the Revitalization Area upon which an owner proposes a Project.

“Project” means a revitalization project on a Parcel involving the construction of a new improvement, the alteration of an existing improvement, and demolition work that is necessary for such construction or alteration.

“Revitalization Area” means the area in the downtown of the District of Mission as shown in Schedule “A” attached to and forming part of this Bylaw.

“RTE Program” means a Revitalization Tax Exemption Program of the District of Mission as described in Schedule “B” attached to and forming part of this Bylaw.

“Tax Exemption” means a revitalization tax exemption pursuant to this Bylaw.

“Tax Exemption Certificate” means a revitalization tax exemption certificate issued by the District of Mission pursuant to this Bylaw and pursuant to the provisions of Section 226 of the *Community Charter*.

4. There is hereby established a Revitalization Tax Exemption program under Section 226 of the *Community Charter* for the granting of Tax Exemptions and the issuance of Tax Exemption Certificates in order to encourage stand-alone or mixed commercial and residential new development and major redevelopment projects within the *MissionCity Downtown Action Plan Area*, in order to enhance the economic growth of the Revitalization Area.
5. The RTE Program is intended to accomplish the objectives set out in section 4 by providing relief from Municipal Property Tax for eligible Projects within the Revitalization Area, in order to reduce financial obstacles to the development of such Projects.
6. The terms and conditions upon which a Tax Exemption may be granted and a Tax Exemption Certificate may be issued are:
 - (a) the Project must have a construction value in excess of \$50,000 for renovations of existing buildings and in excess of \$500,000 for new construction and major redevelopment, as certified by the owner’s design professional pursuant to section 9 of this Bylaw;
 - (b) the Project must be developed on a Parcel that is located within the Revitalization Area;
 - (c) the owner must enter into an Agreement – Revitalization Tax Exemption with the District in the form attached as Schedule “B” to this Bylaw;
 - (d) the owner must apply for a Tax Exemption in accordance with the provisions of section 9 of this Bylaw, by **no later than December 31, 2024**;
 - (e) the Project must be completed and an occupancy permit or accepted final inspection slip for the Project issued by the District by **no later than December 31, 2026**.

7. The amount of a Tax Exemption that may be provided under this Bylaw is such that the Municipal Property Tax payable for each year that the Tax Exemption Certificate is in effect is:
 - (a) in years one to five, the Base Amount;
 - (b) in year six, the Base Amount plus 20% of the difference between the Base Amount and Full Assessment;
 - (c) in year seven, the Base Amount plus 40% of the difference between the Base Amount and Full Assessment;
 - (d) in year eight, the Base Amount plus 60% of the difference between the Base Amount and Full Assessment;
 - (e) in year nine, the Base Amount plus 80% of the difference between the Base Amount and Full Assessment;
 - (f) in year ten, Full Assessment.
8. The maximum term of a Tax Exemption is ten years from the date a Tax Exemption Certificate is issued by the Deputy Treasurer/Collector.
9. In order for a Parcel to be eligible for a Tax Exemption, the owner must:
 - (a) apply to the District of Mission in writing, no later than August 31 of the year immediately preceding the year in which a Tax Exemption certificate is to come into effect, and must submit the following with the application:
 - (i) a certificate that all taxes, 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 completed and signed Agreement under Schedule "B";
 - (iii) a description of the Project;
 - (iv) a certificate from the owner's design professional, in a form satisfactory to the District's Director of Development Services, certifying the construction value of the Project; and
 - (v) a fee in the amount prescribed within Schedule 1 A.10 (b) (ii) of the "District of Mission User Fees and Charges Bylaw 4029-2007" as amended, "Land Use Application Procedures and Fees Bylaw 3612-2003" as amended", and within Schedule "A" (1) (f), (2) (f), and (8) (b) of "Building Bylaw 3590-2003" as amended.
10. If, pursuant to the terms and conditions specified in the Agreement or the Tax Exemption Certificate, the Tax Exemption Certificate is cancelled, the owner of the Parcel for which the Tax Exemption Certificate was issued, must remit to the District:
 - (a) an amount, as determined by the District, of Property Taxes payable for the balance of the year in which the Tax Exemption Certificate is cancelled, calculated pro rata based on the annual amount of Municipal Property Tax that would have been payable but for the Tax Exemption; and
 - (b) an amount, as determined by the District, of Municipal Property Taxes payable to the District, calculated pro rata based on the annual amount of Municipal Property Taxes that would have been payable but for the Tax Exemption, for any period during which the conditions and obligations specified in this Bylaw, the Agreement or the Tax Exemption Certificate were not satisfied.

11. Any amounts owing to the District pursuant to Section 10 will be deemed to be Municipal Property Taxes and any such amounts that are not paid by December 31 of the taxation year in which they fall due, will become taxes in arrears in the following year and collectable as taxes in arrears.
12. Despite the repeal of District of Mission Revitalization Tax Exemption Bylaw 3828-2005 ("Bylaw No. 3828"), the owner of a Parcel for which a Certificate was issued under Bylaw No. 3828 shall continue to receive the Tax Exemption authorized under that Bylaw, and an agreement between the owner of such Parcel and the District, and a Certificate issued under the authority of Bylaw No. 3828 shall continue in force and to the extent necessary shall be deemed to have been issued under the authority of this Bylaw.
13. The Deputy Treasurer/Collector for the District is the designated municipal officer for the purpose of Section 226 (13) in the *Community Charter*.
14. Council delegates to the Deputy Treasurer/Collector, the authority to receive and review applications for a Tax Exemption, approve qualifying Projects, enter into Agreements under this Bylaw on behalf of the District, issue and cancel Tax Exemption Certificates.

READ A FIRST TIME this 16th day of December, 2013

READ A SECOND TIME this 16th day of December, 2013

READ A THIRD TIME this 16th day of December, 2013

FIRST, SECOND AND THIRD READINGS RESCINDED this 18th day of August, 2014

FIRST, SECOND AND THIRD READINGS AS AMENDED this 18th day of August, 2014

ADOPTED this 2nd day of September, 2014

WALTER (TED) ADLEM, MAYOR

KEN BJORGAARD, CHIEF ADMINISTRATIVE
OFFICER (Interim Corporate Officer)

SCHEDULE "A"

