



The Corporation of the City of Courtenay

# Bylaw No. 3175

## A bylaw to amend Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018

The Council of the City of Courtenay, in open meeting assembled, enacts as follows:

### Citation

1. This Bylaw shall be cited as “Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025”.

### Amendment

2. “Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018” is amended as follows:

- a) **AMENDING SECTION 2. DEFINITIONS by:**

- i. **ADDING** the following definition to Section 2.1 after the word “Council”:

“Improvement” will have the same meaning as set out in the Assessment Act.

- ii. **DELETING** the following definition from Section 2.1:

“Project” means a revitalization project on a Parcel involving the construction of a new improvement or alteration of an existing improvement, which meets the requirements of this bylaw, and the construction of which is begun after an application for a Tax Exemption has been submitted to, and approved by, Council;

and

**REPLACING** with:

“Project” means a revitalization project on a Parcel involving the construction of a new improvement or alteration of an existing improvement, which meets the requirements of this bylaw and is approved by Council or its delegate;

- b) **AMENDING SECTION 4. ELIGIBILITY CRITERIA by:**

- i. **ADDING** the following sub-sections 4.1. h) and i) after sub-section 4.1. g):

- h) Notwithstanding sub-section g), an application for a Tax Exemption may be submitted after building permit issuance in the event that extenuating circumstances exist. All other provisions of this bylaw still apply. Such applications must be accompanied by a letter to the Director of Development Services detailing and substantiating the extenuating circumstances that prevented application

submission prior to a building permit issuance and a quantity surveyor report by a Professional Quantity Surveyor or equivalent to the satisfaction of the Director of Development Services or delegate estimating the total construction value at time of a complete application being accepted by the City for the remaining improvements.

and

- i) If a building has received Occupancy Permit (Final Inspection) it does not qualify for Tax Exemption.

- ii. RENUMBERING consecutively the remaining sub-sections within SECTION 4.

c) **AMENDING SECTION 7. APPLICATION PROCESS by:**

- i. **DELETING** the following sub-section a)

- a) An Owner shall submit a completed application form provided by the City as amended from time to time (with all supporting documentation and the \$200 application fee) to the City concurrently with a building permit application.

and

**REPLACING WITH:**

- a) An Owner shall submit a completed application form provided by the City as amended from time to time (with all supporting documentation and the \$200 application fee) to the City prior to a building permit issuance.

- ii. ADDING the following sub-sections 7. b) and c) after 7. a):

- b) Application shall include a covering letter with a brief description of the Project, including an estimate of the construction value of the project, details of the floor area of the project by land use type(s), the number of residential units (if applicable), and an estimated date of obtaining an occupancy permit;

and

- c) An application for a Parcel that does not have an approved Development Permit must include a concept plan with information on the proposed use of the Parcel, details on the floor area, the number of residential units (if applicable), and conceptual renders of the form and character;

- iii. RENUMBERING consecutively the remaining sub-sections within SECTION 7.

d) **AMENDING SCHEDULE "B" Revitalization Tax Exemption Agreement by:**

- i. **DELETING** the following section 21:

21. Any construction of a new improvement or alteration of an existing improvement as

of this bylaw undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration.

and

- ii. **RENUMBERING** consecutively the remaining sub-sections within SCHEDULE "B".

3. This bylaw is effective as of the date of its adoption.

**Severability**

4. 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.

Read a first time this 2<sup>nd</sup> day of April, 2025.

Notice published pursuant to Section 227 of the *Community Charter* on the 9<sup>th</sup> day of April, 2025 and the 16<sup>th</sup> day of April, 2025.

Read a second time this 23<sup>rd</sup> day of April, 2025.

Read a third time this 23<sup>rd</sup> day of April, 2025.

Adopted this \_\_\_\_ day of [month], 2025.

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Mayor Bob Wells

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Corporate Officer