



**Town of Amherst  
Special Council Meeting  
Agenda**

Date: **Monday, June 18, 2018**  
Time: **4:00 pm**  
Location: **Council Chambers, Town Hall**

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Pages

**1. CALL TO ORDER**

1.1 Approval of Agenda

**2. REQUEST FOR DECISION**

2.1 Bylaw to Amend the Deed Transfer Tax Bylaw B-2 - Second Reading

1 - 6

**3. ADJOURNMENT**

# Synopsis

## Deed Transfer Tax By-law

In considering the Town's budget for the 2018-19 fiscal year, Council approved an increase of one quarter of one percent in the Deed Transfer Tax, from 1.0% to 1.25%. In order to give effect to this increase, the Deed Transfer Tax needs to be amended.

The amount of Deed Transfer Tax is to be increased by 0.25%. However, this change does not come into effect until the by-law amendment process is complete – first reading, notice of intent, second reading and enactment; First reading was held on May 23, 2018 and Notice of Intent was published June 2, 2018. The change is proposed to take effect July 1, 2018.

### **MOTION:**

**That Council approve second reading of a By-law to Amend the Deed Transfer Tax By-law, which changes the deed transfer tax rate from 1% to 1.25% of the sale price or value of property sold as of July 1, 2018.**



## REQUEST FOR DECISION

RFD# 2018098

Date: June 18, 2018

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**TO:** Mayor Kogon and Members of Amherst Town Council

**SUBMITTED BY:** Shelley Rector, Chief Financial Officer

**DATE:** June 18, 2018

**SUBJECT:** Deed Transfer Tax By-law, B-2

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**ORIGIN:** 2018/2019 Budget preparations.

**LEGISLATIVE AUTHORITY:** Deed Transfer Tax By-law, Municipal Government Act

**RECOMMENDATION:** That Council approve second reading of a By-law to amend the Deed Transfer Tax By-law, which changes the deed transfer tax rate from 1% to 1.25% of the sale price or value of property sold.

**BACKGROUND:** In considering the Town's budget for the 2018-19 fiscal year, Council approved an increase in the deed transfer tax of one quarter percent, from 1% to 1.25%.

**DISCUSSION:** The increase to the deed transfer tax of one quarter percent is expected to generate \$50,000 which will be earmarked for Poverty as one of the Strategic Priorities of Council. In order to give effect to this increase, the deed transfer tax needs to be amended. This proposed change will be effective July 1, 2018.

**FINANCIAL IMPLICATIONS:** The increase in the deed transfer tax is expected to generate \$50,000 for the 2018-19 fiscal year. This has been taken into account in the formulation of the 2018-19 budget.

**COMMUNITY ENGAGEMENT:** There is no community engagement on this issue.

**ENVIRONMENTAL IMPLICATIONS:** There are no environmental implications.

**ALTERNATIVES:** Leave the deed transfer tax rate the same or refer the matter back to staff for further review and recommendations.

**ATTACHMENTS:** Deed Transfer Tax By-law and Deed Transfer Tax By-law to Amend.

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Report prepared by: Sarah Wilson – Manager of Financial Services

Report and Financial approved by: N/A



**BY-LAW TO AMEND THE DEED TRANSFER TAX BY-LAW, B-2**

The Town of Amherst Deed Transfer Tax By-Law, B-2, approved by Council on May 27, 2013 is hereby amended as follows:

a. Paragraph 3

Delete paragraph 3 in its entirety and replace it with the following:

The amount of the deed transfer tax shall be one and one quarter percent (1.25%) of the sale price or value of the property effective July 1, 2018.

First Reading of Council –  
Notice of Intention to Adopt –  
Second Reading of Council –  
Sent to Municipal Affairs –  
Notice of Publication -  
Effective Date –

<b>Annotation for Official Bylaw Book</b>	
Date of First Reading	
Date of advertisement of Notice of Intent to Consider	
Date of Second Reading	
Date of mailing to Municipal Affairs	
Date of Advertisement / Notice of Publication	
Effective Date of Bylaw	
I certify that this Deed Tax Transfer Bylaw was adopted by Council and published as indicated above.	
<hr/> Kimberlee Jones Municipal Clerk	<hr/> Date

First Reading of Council –  
 Notice of Intention to Adopt –  
 Second Reading of Council –  
 Sent to Municipal Affairs –  
 Notice of Publication -  
 Effective Date –

B-2-1

First Reading of Council –  
Notice of Intention to Adopt –  
Second Reading of Council –  
Sent to Municipal Affairs –  
Notice of Publication -  
Effective Date –

**Town of Amherst**  
**Deed Transfer Tax By-law**  
(Consolidated Version to May 2018)

1. This By-law shall be known as the Deed Transfer Tax By-law.
2. A deed transfer tax shall apply to the Town of Amherst.
3. ~~The amount of the deed transfer tax shall one percent (1%) of the sale price or value of the property effective June 1, 2013.~~
3. **The amount of the deed transfer tax shall be one and one quarter percent (1.25%) of the sale price or value of the property effective July 1, 2018.**
4. Part V, “Deed Transfers” and Section 3 (Interpretations) of *Municipal Government Act*, Stats. N.S. 1998, chapter 18, shall apply to deed transfers.
5. For the purposes of this By-law, “persons married to one another” shall include those persons who have entered into a domestic partnership declaration and have registered such declaration in accordance with Part II of the Vital Statistics Act R.S.N.S., Chapter 494.
6. The Registrar of Deeds shall be the agent and collector of the deed transfer tax for the Town of Amherst.
7. Attached is Schedule A Deed Transfer – Affidavit of Value which will form a part of this by-law.
8. The Municipal Deed Transfer Tax By-law as amended passed by the Town Council of the Town of Amherst on the 20<sup>th</sup> day of March 1989: Amended May 27, 2013, is hereby repealed in its entirety.