

## Minutes of the Regular Meeting of the Council of the Town of Oxford

Place: Council Chambers

Date: Monday, September 18, 2017

Attending: Trish Stewart, Mayor (presiding)  
Councillors Brenton Colborne, Dawn Thompson, Tom Kay, Rick Draper, Wade Adshade

Absent: Councilor Greg Wood

Staff: Wesley Adshade, Town Supervisor  
Corey Skinner, Recreation and Physical Activity Coordinator  
Catherine Smith, Office Clerk  
Linda Cloney, Deputy Clerk (taking minutes)

Call to order: 6:00 pm

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Agenda item	Discussion and Decisions
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2. Agenda	It was moved and seconded that the agenda of the Oxford Town Council regular board meeting of September 18, 2017 be approved. The following changes were made: <ul style="list-style-type: none"><li>- 5.1 Center Line Painting – to be added with the Public Works Report</li><li>- 5.6 Wellness Committee Report</li><li>- 8.7 Joint Initiatives</li><li>- 8.8 Raven Sky</li><li>- 8.9 Arena Upgrades</li></ul>
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The motion as amended was adopted

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3. June 19, 2017	It was moved and seconded that the minutes of the June 19, 2017 regular Minutes meeting of the Oxford Town Council be approved.
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The motion was adopted.

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4. Action Item Update	There was a review and update of the Action Item Update Report.
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5. Director's, Committee's Reports (5.1 to 5.6 and 6)	It was moved and seconded that the Director's, Councilor's and Committee's Councillor's and reports presented be approved.
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The motion was adopted.

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7. Correspondence/ Information Items	Nil
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8. New Business  
8.1 Naming Policy

It was moved and seconded that Council adopt the Naming Policy as presented.

**DEPARTMENT: ALL TOWN DEPARTMENTS**

**TITLE: Naming Public Lands and Town-Owned Facilities**

Minutes reference date: September 18, 2017

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**PURPOSE:**

1. To provide guidelines whereby Town of Oxford public lands and facilities may be officially named by Town Council.

**POLICY:**

2. There are occasions when interested parties have proposed to name or re-name Town of Oxford public lands and facilities. It is the policy of the Town of Oxford to consider naming proposals, seek citizen input and formally decide on proposed names or renaming of Town of Oxford public lands or facilities within established criteria.

**DEFINITIONS:**

3. Public land – lands which are owned or controlled in use by the Town of Oxford for the long term benefit of the community. Examples include but are not limited to parks, sports fields, beautification areas and natural areas.

Public facilities – physical facilities owned or controlled in use by the Town of Oxford for the long term benefit of the community. Examples include: buildings, rooms and ball fields.

Street naming guidelines are covered by a separate Town of Oxford policy.

**NAMING CRITERIA**

4. Town of Oxford public lands and facilities may be named after persons, a place or location, or an event that has created an important legacy or achievement. A person's name is eligible for consideration one year after his/her death with special benefactors excepted. The following criteria may be used by Council in determining the appropriateness of the naming designation:
  - A noteworthy public figure or official;
  - A person, place or event of historical or cultural significance;
  - Special benefactor(s) (living or dead);
  - A person, group, place or feature, particularly identified with the public land or facility;
  - Exceptions to the naming criteria can be approved by Council if an occasion to recognize the outstanding contributions of a living person is determined.

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**PROCEDURES**

5. Initiation of proposed name:

A request to name or rename a Town owned property or facility must be made in writing to the Chief Administrative Officer who shall bring it, along with a background report, to the Council in Committee of the whole for initial discussion and direction.

6. Additional Public Input and Public Hearing

Should Council determine that additional public input is needed, it may hold a public hearing no sooner than 30 days following the Council meeting at which the initial report was received by Council. The public hearing shall follow a format similar to that for a planning document. Council may also solicit public comment by inviting citizens and interested persons to provide written comments.

7. Formal Council Decision

a. Following a public hearing and receiving additional public input, if determined by Council to be required, the item will be placed on the Committee of the Whole meeting agenda for discussion and direction. Committee of the Whole may, at this point, refer the proposed naming to Council again for consideration.

b. The naming decision shall be made by a resolution of council.

The motion was adopted

8.2 Second Reading Amendment      Land Use By-law Amendment – creating the commercial district from within the LUB commercial zones in Oxford.

It was moved and seconded that when the appeal period has passes and no appeals have been brought forward that the Land Use By-law Amendment be adopted as read.

Town of Oxford

By-law to Amend the Municipal Planning Strategy By-law, P-1

1. The purpose of this by-law is to Amend the MPS/LUB P-1 of the Municipal Planning Strategy of the Town of Oxford with respect to establishment of a Commercial Development District.

2. The Municipal Planning Strategy of the Town of Oxford is hereby amended as follows:

It shall be the intention of Council to designate all areas of the Town zoned as Commercial and Industrial on Schedule 'A' Land Use Zoning Map of the Land Use Bylaw as the Commercial Development District. The Commercial Development District shall include the eligible properties under the Commercial Development Improvement Bylaw.

The motion was adopted.

8.3 Second Reading  
Commercial  
Development  
Bylaw

Commercial Development Improvement Bylaw

It was moved and seconded that when the appeal period has passes and no Improvement appeals have been brought forward that the Commercial Development Improvement By-law to be adopted and to be effective in the assessment year of 2018.

**TOWN OF OXFORD**

## **BYLAW RESPECTING COMMERCIAL DEVELOPMENT IMPROVEMENTS**

### **IN THE TOWN OF OXFORD**

WHEREAS it is desirable to permit the phasing-in, over a period of up to 10 years, of an increase to the taxable assessed value of commercial properties located in the Town of Oxford Commercial Development District and further to provide a partial rebate of taxes paid by the owner during the phasing-in period;

AND WHEREAS Chapter 13 of the Acts of 2016 amended the Municipal Government Act (Chapter 18 of the Acts of 1998) to create Sections 71C and 71D, which allows the Town with the approval of the Minister of Municipal Affairs to pass this Bylaw;

The Council of the Town of Oxford, under the authority of the Municipal Government Act, pursuant to Section 71C and subject to approval of the Minister in Section 71D, enacts the following Bylaw:

#### **SHORT TITLE**

1. This Bylaw shall be known as Bylaw No. O-12017, and may be cited as the "Commercial Development Improvement Bylaw" (also known as "CDD Bylaw").

#### **APPLICATION**

2. This Bylaw shall apply to a property which meets the definition of an eligible property as defined in subsection 71C(1) of the *Municipal Government Act*, if that property is located within the **Commercial Development District (CDD)** as prescribed in the *Town of Oxford Municipal Planning Strategy* and as depicted in the Industrial, Commercial, and CDD in the attached Appendix A.

## DEVELOPMENT REBATE PROGRAM

3. The **Development Rebate Program** is established to provide assistance to owners of eligible property by providing the possibility of an annual partial rebate on taxes paid by the owner if the owner has undertaken development of their property in the CDD. The rebates are designed to stimulate building construction and the expansion of the economy of the Town.
4. The Development Rebate Program may provide a participating owner with a partial rebate on taxes paid on an eligible property by utilizing all or a portion of the “Rebate Eligible Assessment.”
5. Prior to receiving a development rebate, an owner of an eligible property must enter into Phased In Assessment Agreement with the Town.

## DEVELOPMENT

6. An eligible property must undergo development before the owner of the property can participate in the Development Rebate Program.

## DEFINITIONS

7. **Development** means investment that results in an increase in the productive use of a property or a building on a property within the CDD, and includes, but is not limited to a new building construction enterprise, or the expansion of an existing building to realize more effective utilization of the property's potential.
8. **Rebate Eligible Assessment** means the amount calculated using the following formula:

Rebate Eligible Assessment = Actual Taxable Assessed Value – Base Year Taxable Assessed Value

9. **Base Year Taxable Assessed Value** means the Taxable Assessed Value applicable for the taxation year in which a Phased In Assessment Agreement is signed for the eligible property upon which development is to be constructed.
10. The Base Year Taxable Assessed Value means the Taxable Assessed Value shall be fixed in this manner for the purpose of determining the Rebate Eligible Assessment for the development of the eligible property subject to any adjustment arising from assessment appeals or changes to the Taxable Assessed Value made by the Property Valuation Service Corporation (PVSC) through requests for reconsideration, and shall remain unchanged for the duration of the term of the Development Rebate Program for the eligible property.
11. **Actual Taxable Assessed Value** means the Taxable Assessed Value applicable for the taxation year in which the Rebate Eligible Assessment is to be determined, subject to any adjustments to taxes arising from assessment appeals or charges to the Taxable Assessed Value made by PVSC through requests for reconsideration.

## PHASED IN ASSESSMENT AGREEMENT

12. (1) As a condition of the Development Rebate Program, an owner of an eligible property must enter into an agreement with the Town (hereinafter referred to as the “**Phased In Assessment Agreement**”). The

Phased In Assessment Agreement signed by the parties will be substantially the same as the form agreement attached as Appendix B to this Bylaw and forming part of the Bylaw.

- (2) A Phase In Assessment Agreement is intended to compliment and provide specifics for the subject property. The eligibility criteria for the Development Rebate Program and the limits on the program are as established in this Bylaw. In the event of a conflict between a Phased In Assessment Agreement and the Bylaw, the provisions of this Bylaw shall prevail.

## **REBATE CALCULATION**

13. An annual development rebate amount shall be calculated each year as the following percentage of the equivalent of the Rebate Eligible Assessment:

Year	Rebate (as % of tax increment)
1	90
2	80
3	70
4	60
5	50
6	50
7	40
8	30
9	20
10	10

## **REBATE LIMITS**

14. The total of development rebates provided to an owner over the term of participation in the program must not result in calculation of the total increase in taxes payable during the phase-in period being less than fifty percent of the total increase in taxes that would be payable during the same period in the absence of the application of the program formula.

## **ADJUSTMENTS**

15. In the event there are any subsequent changes to the total taxes payable in any year due to reductions resulting from assessment appeals, and where such tax changes occur after rebate amounts have been paid, future year rebate entitlements may be reduced accordingly. Any overpayment of rebate amounts arising from subsequent assessment or tax reductions will be deemed to be a debt owing to the Town.

## **DURATION**

16. Development rebates will only become payable to the owner after the eligible property is first reassessed by PVSC to fully reflect the development that the owner is receiving the rebate for.

17. All rebates will cease if during the program term the building is demolished except to expand an eligible use. Rebate amounts that would have been payable in the year in which the demolition occurs will be adjusted on a pro-rated bases to reflect the date of the demolition.

### **STAGED DEVELOPMENT**

18. In the case of a staged development, where one portion of a property is developed in advance of others, each portion of the property will be treated as a separate property. The first rebate payment of the component of the Development Rebate Program will be based on the Rebate Eligible Assessment arising from the increased assessment on the first portion of the development. As other portions of the property are developed, and which result in further assessment increases, the property owner may apply to further participate in the Development Rebate Program based on the additional Rebate Eligible Assessment, subject to the continued available of the Development Rebate Program and the owner's ability to meet the eligibility requirements and rebate entitlements in place at that time.

### **CONDOMINIUMS**

19. If a development of an eligible property is condominiumized, each condominium unit will be treated as a stand-alone development and must be able to meet all eligibility requirements of the Development Rebate Program, independent of other condominium units.

### **REPEAL**

20. (1) In the event that this Bylaw, or any portion thereof, is repealed, any owner who has been accepted to participate in the Development Rebate Program prior to the date of repeal will benefit from the program, as applicable, in accordance with this Bylaw, despite its whole or partial repeal.
- (2) In the event of a repeal in (1), for the owners who are accepted in the program as of the date of the repeal, this Bylaw will continue to be considered to be in force and effect only for the limited purpose of providing for the continuation of the Development Rebate Program for those owners until the ten year maximum term is completed or the owners participation in the program is discontinued.

### **OTHER CONDITIONS**

21. An owner's application to the Development Rebate Program must be made prior to the issuance of the first building permit for the development of the property.
22. All proposed development must conform to all Provincial laws, Town Bylaws, policies, and processes and all improvements must be made pursuant to an approved building permit and applicable zoning requirements and development approvals.
23. The applicant must be the owner of the eligible property or have the owner's written authorization to apply for the Development Rebate Program.
24. The owner of an eligible property must not be in arrears of property taxes or other fees and charges on the date that the Phased In Assessment Agreement is signed.

## PAYMENT

25. Rebates may be provided once annually, in the last quarter of the year, provided that:
  - a. There are no outstanding taxes, water rates, or other sums owed to the Town with respect to the property;
  - b. There are no outstanding work orders or orders or requests to comply from any municipal or provincial entity; and
  - c. All other eligibility criteria and conditions are met.
26. Development rebates will not be applied as tax credits against property tax accounts.
27. In case of an assessment appeal, the Town reserves the right to withhold any further development rebates pending final disposition of the appeal.

The motion was adopted.

### 8.4 Solid Waste RFP

The contract with FERO is coming to conclusion on December 31, 2017. We need to move forward with the tender call for request for proposals.

It was moved and seconded to authorize moving forward with the tender call for request for proposals.

The motion was adopted.

### 8.5 NSURB-Application To Amend Schedule Of Rules and Regulations

With the discussions this spring and a movement by the Town of Oxford.

It was moved and seconded that we look for a confirmation from the Nova Regulations Scotia Utility and Review Board to approve what we brought forward as an application to amend Section 8 scheduled Rules and Regulations. The amendment would effectively allow the Town of Oxford through the Nova Scotia Utility and Review Board to do estimates in two of the cycles of each year. Those estimates would be an average of the prior four quarters and in every other quarter the meters will be read.

The motion was adopted

### 8.6 Proclamation

Whereas, October 15 is recognized worldwide and other Regions of Canada as pregnancy and infant loss awareness day. This proclamation is to symbolize our support of Nova Scotia's Bill 179 Pregnancy and Infancy Loss Awareness Act.

Therefore, I Trish Stewart, Mayor of the Town of Oxford, do hereby declare October 15, 2017 to be Pregnancy and Infant Loss Awareness Day in the Town of Oxford.



8.7 Joint Initiatives           When the Joint Councils met it was asked for the Town of Oxford to come back with ten suggestions of things that we could work collectively with the Town of Amherst and Municipality of Cumberland.

8.8 Raven Sky                 Raven Sky has been to talk to the CJSMA at the last few meetings about harness the methane gas that would come off the cell after it is closed and they have presented it to the Councils.

It was moved and seconded that the Town of Oxford Council supports this project.

The motion was adopted.

8.9 Arena Upgrades           It was moved and seconded to work towards a public tender document for the louver fans to be done at the arena in a timely manner. To complete the entry way at the arena. To install PVC curtains. To bring the Zamboni room and insulation up to applicable code. Monitoring components within the arena that the council will direct the staff with clear direction through stringent routine checklists to ensure that all components are run as efficiently as possible through this winter and that Council will access and review the outcomes in the Spring and determine course forward. Also, we engage Black and MacDonald to assist in the setting of the check lists and logs components.

The motion was adopted.

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The Mayor advised that the next regular meeting of the Oxford Town Council would be held on October 16, 2017, starting at 6:00 pm.

The meeting was adjourned at 7:30 pm

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