



Town of Amherst
Regular Council Meeting
Agenda

Date: **Monday, February 27, 2023**
Time: **6:00 pm**
Location: **Council Chambers, Town Hall**

	Pages
1. CALL TO ORDER	
2. TERRITORIAL ACKNOWLEDGMENT	
<p>“I would like to acknowledge that our gathering today is taking place in (MEEG-MA-GEE), the traditional, unceded and ancestral territory of the Mi’kmaw people. I would also like to acknowledge that Nova Scotia has another unique people. These are the Indigenous Blacks of Nova Scotia whose legacy and contributions date back over 400 + years predating confederation of this land. We are all treaty people.”</p>	
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8. ADJOURNMENT

**TOWN OF AMHERST
Regular Council Meeting
Minutes**

Date: January 23, 2023
Time: 6:00 pm
Location: Zoom Virtual Meeting

Members Present Mayor David Kogon
Deputy Mayor Leon Landry
Councillor George Baker
Councillor Hal Davidson
Councillor Lisa Emery
Councillor Dale Fawthrop

Staff Present Jason MacDonald, Chief Administrative Officer
Dwayne Pike, Chief, Police Services
Greg Jones, Director, Fire Services
Aaron Bourgeois, Director, Operations
Andrew Fisher, Director, Planning & Strategic Initiatives
Sarah Wilson, Director, Finance
Sharon Bristol, Director, Community Living
Krista Crossman, Director, HR & Customer Services
Kim Jones, Director, Corporate Communications/Clerk
Tom McCoag, Corporate Communications Officer
Natalie LeBlanc, Deputy Clerk

1. CALL TO ORDER

Mayor Kogon called the meeting to order at 6:00 p.m.

2. TERRITORIAL ACKNOWLEDGMENT

Mayor Kogon gave the Territorial Acknowledgement.

3. APPROVAL OF AGENDA/MINUTES

3.1 Approval of the Agenda

Moved By Councillor Emery
Seconded By Councillor Fawthrop
To approve the agenda as circulated.

Motion Carried

3.2 Approval of Minutes - December 19, 2022

Moved By Councillor Davidson
Seconded By Deputy Mayor Landry
To approve the minutes of the December 19, 2022 regular meeting of Council as included in the agenda package.

Motion Carried

4. REQUESTS FOR DECISION

4.1 Accessibility Strategy

Moved By Councillor Fawthrop
Seconded By Councillor Landry
That Council accept the Town of Amherst Accessibility Strategy as presented to Council in December 2022.

Motion Carried

4.2 Solid Waste Collection RFP

Moved By Councillor Emery
Seconded By Councillor Fawthrop
That Council award the new five-year residential solid waste collection contract for three stream collection, yard waste, bi-weekly bulky item pickup and six extra summer organic collections to Miller Waste Systems Incorporated, Alternative Collection Proposal, in the amount of \$2,525,979.07.

Motion Carried

**4.3 Signing Authority Policy
 Moved By Councillor Baker
 Seconded By Councillor Davidson
 That Council approve of the revised Town of Amherst Signing Authority
 Policy # 03400-01.**

Motion Carried

TITLE:	SIGNING AUTHORITY POLICY
SECTION:	FINANCE
POLICY NO.:	03400-01
REFERENCE/DATE:	21 September 1992 25 September 1995; 25 March 1996; 21 May 1996; 12 December 2000; 25 November 2002 26 January 2015; 23 November 2020, 28 February 2022

PURPOSE:

To identify signing officers of the Town of Amherst

POLICY STATEMENT:

1. All documents signed under the seal of the Town shall be signed by the:
 - a) Mayor or Deputy Mayor (any one of them)
 And
 - b) Chief Administrative Officer, Town Clerk or Treasurer (any one of them).

2. For all Town bank accounts any cheques, bank documents, etc., of the Town shall be signed by two signing officers. The signing officers of the Town shall be:
 - a) Mayor, Deputy Mayor, Designated Councillor (any one of them)
 And
 - b) Chief Administrative Officer or Treasurer (any one of them).

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Chief Administrative Officer	CAO: a. To ensure all documents are signed by the proper signing authorities.
Director of Finance	Director of Finance: a. To ensure all documents are signed by the proper signing authorities. b. To ensure any changes to signing authorities are corresponded to the proper external organizations.

VERSION LOG

Version Date	Amendment Description	Amendment/Policy Owner	Approved By	Approval Date
January 23, 2023	Policy review – remove CFO, update bank account names.	Director of Finance		

**4.4 User Fee Policy
 Moved By Deputy Mayor Landry
 Seconded By Councillor Fawthrop
 That Council approve of the following addition to the User Fee Policy:**

Electric Vehicle Charging Station User Fee \$1.50/hr HST included

Motion Carried

**4.5 Housing Investment Policy
 Moved By Councillor Davidson
 Seconded By Councillor Emery
 That the Housing Infrastructure Investment Policy be approved by Council.**

Motion Carried

TITLE: HOUSING INFRASTRUCTURE INVESTMENT POLICY
SECTION: Planning and Development - General
POLICY NO: 66000-05

REFERENCE/DATE: January 23, 2023

POLICY STATEMENT

It has become widely recognized in 2022 that the Town is experiencing a significant shortage of housing supply in all segments of the residential real estate market. In order to incentivize new housing development, the Town will consider, on a case-by-case basis, entering into an agreement with a land owner to temporarily fund all or a portion of new street and / or underground infrastructure required and intended to provide housing within the Town.

PURPOSE

To incentivize new residential development within the Town to address the current housing shortage.

APPLICATION

Town Council will consider entering into agreements with property owners who intend to bring new housing developments to market when, in the sole opinion and discretion of Council:

1. there is a housing shortage within the town and new streets and / or infrastructure are required to meet the housing demand;
2. the Town has the financial capacity to fund such infrastructure;
3. a satisfactory agreement can be negotiated that provides the Town with adequate security and minimal investment risk.

Any such agreement entered into by the town will contain:

1. Roles and responsibilities of each party;
2. Schedule of street and / or infrastructure construction;
3. Schedule and terms of payback of the Town’s investment;
4. Terms and conditions of development, construction and lot sales as applicable;
5. Any other terms and conditions required to ensure the Town is not undertaking undue risk;
6. Any other terms and conditions, which at the sole discretion of Council, are in the best interests of the Town of Amherst.

The Town retains the right to refuse to enter into any agreement for any development, in any location, for any reason. The Town retains the right to decide if Town human and equipment resources will be utilized to build / install any or all infrastructure within the development, as well as the amount to charge the property owner for that work.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Mayor and Council	The Mayor and Council will: <ol style="list-style-type: none"> a. Upon recommendation of the CAO, provide direction to the CAO in regards to commencing, continuing and ending negotiations b. Retain sole authority to enter into any agreement that has been negotiated c. Maintain strict confidentiality and do not engage with property owners when contacted during negotiations.
Chief Administrative Officer	The CAO: <ol style="list-style-type: none"> b. Will determine opportunities to apply this policy c. Has the authority to negotiate on behalf of the Town Council d. Will update Council throughout the negotiation(s) e. May seek legal and other professional advice when required f. Will make a recommendation to Town Council regarding the agreement
Directors & Managers	Directors and Managers will: <ol style="list-style-type: none"> c. Provide advice and information to the CAO as required
Policy Owner	The policy owner (see version log) is responsible for reviewing the policy on an annual basis for relevancy and potential updates.

VERSION LOG

Version Number	Amendment Description	Amendment/Policy Owner	Approved By	Approval Date
1.0				

4.6 Blaine Street RFP
Moved By Councillor Fawthrop
Seconded By Councillor Baker
That Council award RFP-22-102 to Black Bay Real Estate Group and authorize the company to make an application for a development agreement that reflects their proposal; and further, direct staff to draft an agreement and purchase and sale for the Blaine Street property.

Motion Carried

- 4.7 **8/10 Prince Arthur Street**
Moved By Deputy Mayor Landry
Seconded By Councillor Davidson
That Council confirm their intention to transfer ownership of 8/10 Prince Arthur Street to the Cumberland Homelessness and Housing Support Association, and schedule a public hearing on this matter for February 8, 2023.

Motion Carried

5. INTERNAL COMMITTEE REPORTS

- 5.1 **Planning Advisory Committee - Landry**
Information item; no direction given or action required.
- 5.2 **Amherst Board of Police Commissioners - Davidson**
Information item; no direction given or action required.
- 5.3 **Audit Committee - No Report**
- 5.4 **Amherst Youth Town Council**
Information item; no direction given or action required.
- 5.5 **Accessibility Advisory Committee - No Report**
- 5.6 **Inclusion Diversity and Equity Committee - Davidson**
Information item; no direction given or action required.

6. EXTERNAL COMMITTEE REPORTS

- 6.1 **Cumberland Public Libraries - Fawthrop**
Information item; no direction given or action required.
- 6.2 **Cumberland YMCA - Fawthrop**
Information item; no direction given or action required.
- 6.3 **Northern Region Solid Waste Management - Baker**
Information item; no direction given or action required.
- 6.4 **L. A. Animal Shelter - Fawthrop**
Information item; no direction given or action required.
- 6.5 **Senior Safety - Emery**
Information item; no direction given or action required.
- 6.6 **Inter Municipal Tourism - No Report**
- 6.7 **Poverty Reduction - Landry**
Information item; no direction given or action required.
- 6.8 **Municipal Alcohol Project - Emery**
Information item; no direction given or action required.

7. ADJOURNMENT

- Moved By Councillor Davidson**
Seconded By Deputy Mayor Landry
To adjourn the meeting.

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

**Town of Amherst
Public Hearing
Minutes**

Date: February 8, 2023
Time: 12:00 pm
Location: Council Chambers, Town Hall

Members Present Mayor David Kogon
Deputy Mayor Leon Landry
Councillor Hal Davidson
Councillor Lisa Emery

Members Absent Councillor George Baker
Councillor Dale Fawthrop

Staff Present Jason MacDonald, Chief Administrative Officer
Sharon Bristol, Director, Community Living
Kim Jones, Director, Corporate Communications/Clerk
Tom McCoag, Corporate Communications Officer
Natalie LeBlanc, Deputy Clerk

1. Call to Order

Mayor Kogon called the Public Hearing to order, and explained the purpose and the process for the meeting.

2. 8/10 Prince Arthur Street - Transfer of Ownership

2.1 Staff Presentation

The CAO gave the presentation included as part of the agenda package, explaining that Amherst Town Council is considering the transfer of ownership of the property located at 8/10 Prince Arthur Street (PID 25027889) to the Cumberland Homelessness and Housing Support Association, a non-profit organization, with the purpose to provide a location for an affordable and supportive housing facility to be operated by the Association.

2.2 Council Questions/Comments

Mayor Kogon asked how many apartments will be constructed within the building. Councillor Emery replied that she believes there will be five apartments constructed on the second floor, as well as a ground floor barrier-free apartment that would accommodate six overnight emergency beds.

2.3 Public Comments

Brian Porter, on behalf of Alweather Windows and Doors Ltd at 20 Maple Avenue, expressed concern with damage in the neighborhood in the past, and his concern with it continuing. He would like to know if there will be 24-hour security, and if fencing will be a requirement. He noted damage to his building in the past, and garbage left on his property on a regular basis, particularly items that are stolen from the Bridge Workshop then left strewn on his property. He stated that his business has been at this location for 16 to 18 years and that if this Council approves the transfer of this property for this type of use they may relocate.

The CAO responded that staff will try to mitigate Mr. Porter's concerns. He also advised Mr. Porter that when issues arise that he should call the Amherst Police Department, which Mr. Porter replied he has done. The CAO suggested that perhaps APD could erect cameras, and that when drafting the purchase and sale agreement staff could consider fencing, and other mitigating factors.

Mr. Porter asked if he would receive a response to his concerns. Mayor Kogon replied that the purpose of this meeting is not to provide comments regarding concerns, but rather to hear concerns at this time. The CAO added that he would be happy to speak with Mr. Porter regarding his concerns at any time.

Councillor Davidson commented that when the WETS shelter was established on Church Street consultation was done with the residents in the area, and asked that staff could ask Cornerstone to do similar community engagement with the neighbors of this property.

Councillor Emery asked what the process will be going forward, particularly will Mr. Porter's concerns be addressed before Council is asked to make a decision? The CAO replied that he will contact the Town's solicitor for advice while drafting the purchase and sale agreement for Committee of the Whole on February 21. He further added that the Town is funding Cornerstone's Executive Director position, and will have a member on their Board, this could assist with alleviating some of the concerns expressed. Councillor Emery would like public concerns recognized.

There being nothing further at this time, Mayor Kogon closed the Public Hearing.

3. Adjournment

Moved By: Councillor Emery

Seconded By: Deputy Mayor Landry

To adjourn the Public Hearing.

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

SYNOPSIS

Development Agreement Application

3,4,5,7 Robie Street

First Reading

The application for a development agreement for 3,4,5,7 Robie Street would permit the change of an existing non-conforming use to another non-conforming use. The existing community hall would be changed to a commercial office and the building would be expanded.

An advertised Public Participation Opportunity was held on January 18, 2023. The only concern raised at the meeting was regarding parking and this was addressed by the applicant.

On February 6, 2023 the PAC recommended that Council enter into the attached Development Agreement

MOTION:

That Council give First Reading of the Development Agreement for 3,4,5,7 Robie Street to permit the construction of a commercial office, and schedule a Public Hearing for March 22nd at 12 noon.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Andrew Fisher, Director of Planning & Strategic Priorities

DATE: February 27, 2023

SUBJECT: Development Agreement – Commercial Office, 3, 4, 5, 7, Robie Street

ORIGIN: An application for a development agreement to allow construction of a commercial office at 3, 4, 5, 7 Robie Street.

LEGISLATIVE AUTHORITY: *Municipal Government Act* Part VIII Planning and Development.

PAC RECOMMENDATION: On February 6, 2023 the PAC recommended that Council enter into the attached Development Agreement for 3, 4, 5, 7 Robie Street that would permit the construction of a commercial office.

BACKGROUND: Attached is the draft development agreement. An advertised Public Participation Opportunity was held on January 18, 2023. The only concern raised at the meeting was regarding parking and this was addressed by the applicant.

Council is referred to the February 6, 2023 staff report to the PAC that contains details about the proposed development, input received through the January 18, 2023 Public Participation Opportunity, information provided by the applicant, and a review of the relevant MPS policies.

DISCUSSION: As detailed in the attached staff report to the PAC, the proposal meets the general intent of MPS policies. The development agreement process provided the public an opportunity to give input that is detailed in the report. Should Council decide to give First Reading of the agreement, the public will have another opportunity to provide input at a public hearing before Council.

FINANCIAL IMPLICATIONS: No significant costs specific to this issue. Ongoing tax revenue upon completion of the development.

SOCIAL JUSTICE IMPLICATIONS: None specific to this issue.

ENVIRONMENTAL IMPLICATIONS: None specific to this issue.





AMHERST TOWN COUNCIL

RFD# 2023019

Date: February 27, 2023

COMMUNITY ENGAGEMENT: January 18, 2023 Public Participation Opportunity, and Public Hearing if First Reading is given. If approved, notice of the right to appeal council's decision is placed in the local newspaper.

ALTERNATIVES: 1) Give First Reading of the development with specific amendments; 2) Refer the application back to the PAC for more information; 3) Reject the application citing specific policies that are not met by the proposal.

ATTACHMENTS: 1) Development Agreement; 2) Staff report to PAC.

Report prepared by: A. Falaye
Report and Financial approved by:



Case No: DA-2023-XX

This Agreement made this _____ Day of _____ 2023.

Between:

44143456 Nova Scotia Limited (owner of property located at 3, 4, 5, 7, Robie Street, Amherst [PIDs 25029471, 25029489, 25005489, 25029505 respectively], hereinafter called the "Owner"),

of the one part, and

The Town of Amherst (a body corporate in the Province of Nova Scotia, hereinafter called the "Town"),

of the other part.

WHEREAS the Owner wishes to obtain permission pursuant to Policy GP-11 of the Municipal Planning Strategy of the Town of Amherst, to change a non-conforming use to another use, specifically a commercial office at 3, 4, 5, 7, Robie Street, Amherst (PIDs 25029471, 25029489, 25005489, 25029505 respectively).

AND WHEREAS a condition of the granting of approval of Council is that the Owner enter into an Agreement with the Town;

AND WHEREAS the Council of the Town, at its meeting on the ____th Day of _____ 2023, approved the said Development Agreement, subject to the registered Owner of the land described herein entering into this Agreement;

AND WHEREAS the following Schedules shall be attached to and form part of this Agreement:

- (a) Schedule 'A' - Terms and Conditions
- (b) Schedule 'B' - Property Location Map
- (c) Schedule 'C' - Site Plan
- (d) Schedule 'D' - Building Elevation

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Town of the Development Agreement requested by the Owner, the Owner agrees as follows:

- 1) That the Owner is the registered owner of the aforesaid Lands in the Town of Amherst, hereinafter called the "Lands". The aforesaid Lands is the only lands in the Town of Amherst to which this Agreement applies, and the Lands is illustrated in the plan shown on Schedule B attached.
- 2) That the Owner may renovate the existing development on the said Lands and convert it to a commercial office subject to Schedules A, B, C, and D attached.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property

(other than the Land Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.

- 4) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 7) The Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

SIGNED, SEALED AND DELIVERED

In the presence of

THE TOWN OF AMHERST

David Kogon MD, Mayor

Jason MacDonald, MCIP, LPP, CAO

FOR THE OWNER

Hicks Lemoine Law Office / Dave W. McNairn

Schedule A

3, 4, 5, 7, Robie Street, Amherst - Development Agreement

Terms and Conditions:

1.0 USE OF LAND AND BUILDINGS

- 1.1 The use of the properties shall be limited to a commercial office and parking lot within the general location as shown on Schedule 'C'.
- 1.2 A minimum of 28 parking spaces shall be provided on the Lands and shall be generally configured as shown on Schedule 'C'.
- 1.4 Accessory buildings may be permitted on the Lands in accordance with the *Town of Amherst Land Use Bylaw* and shall not be considered a substantial change to this agreement.
- 1.5 The commercial office shall generally conform to the designs shown on Schedule 'C' and 'D'. Variations to the architectural details and footprint of the dwellings may be permitted, to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 1.6 The Owners shall be responsible for landscaping unpaved areas and maintenance on the Lands.
- 1.7 The Owner shall be responsible for maintaining screened solid waste containment areas, generally in the locations shown on Schedule 'C'.

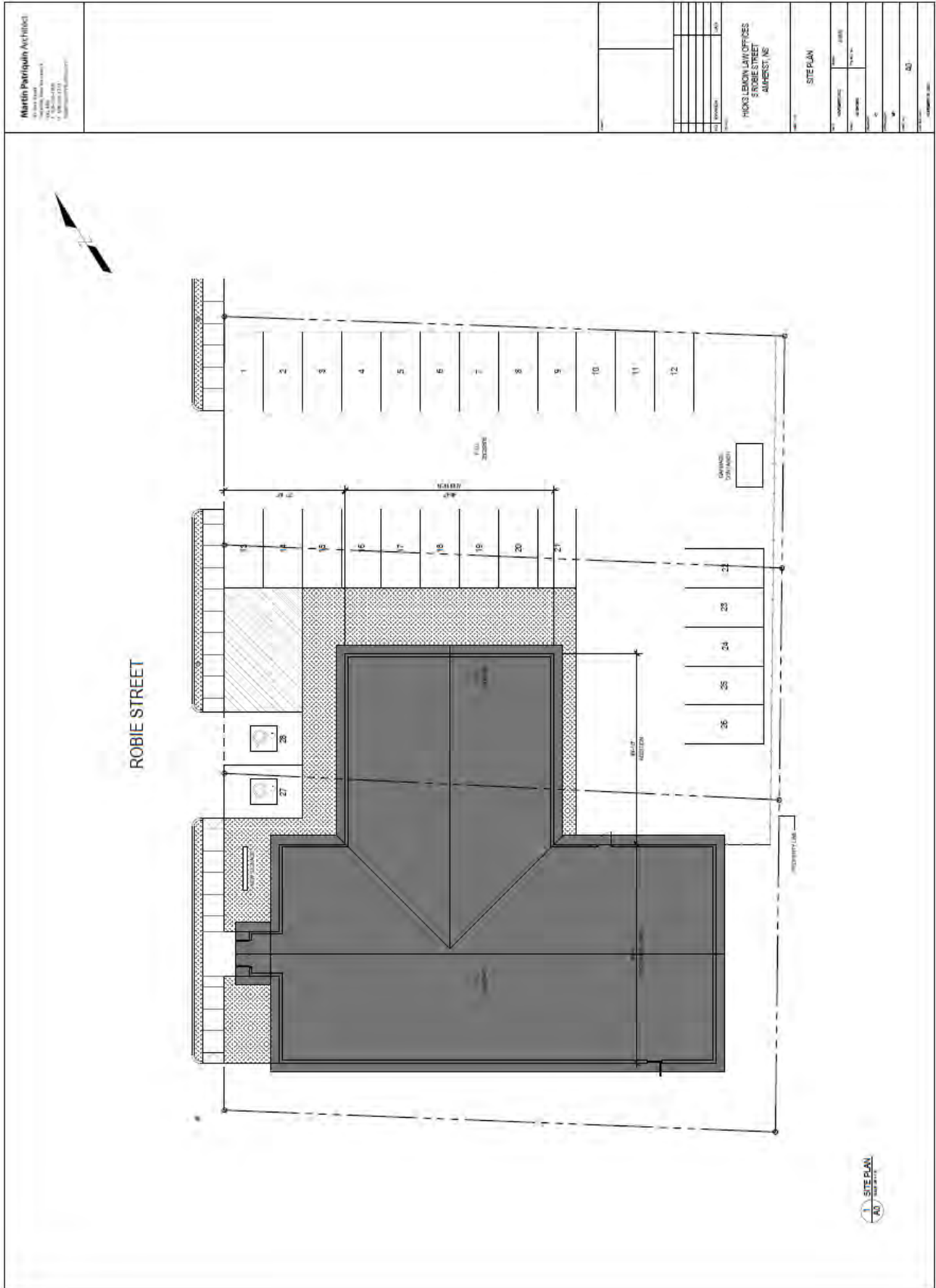
2.0 GENERAL REQUIREMENTS

- 2.1 The Owner shall keep the Lands and building and any portion thereof clean and in good repair. All elements of the development on the Lands shall be regularly maintained and kept in a tidy state, and free from unkept materials of any kind.
- 2.2 Signage on the property shall conform to the Town of Amherst *Land Use Bylaw*.
- 2.3 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties.
- 2.4 Solid waste management shall be in conformance with the Town of Amherst *Solid Waste Bylaw*.
- 2.5 The Owner shall be responsible for storm water management during and after construction.
- 2.6 The Owner shall take all reasonable steps to maintain a clean worksite during construction by picking up building material waste.

SCHEDULE 'B'



SCHEDULE 'C'



SCHEDULE 'D'

Martin Paquin Architect
 500 North Main Street
 Amherst, MA 01002
 Tel: 413.253.1100
 Fax: 413.253.1101
 www.martinpaquin.com

DATE	01/11/17
REVISION	
PRELIMINARY	

HICKS LEMMON LAW OFFICES
 5 RICHIE STREET
 AMHERST, MA

EXTERIOR ELEVATIONS

DATE	01/11/17
DESIGNER	MLP
CLIENT	HICKS LEMMON
PROJECT	5 RICHIE STREET
SCALE	1/8" = 1'-0"
DATE	01/11/17
SCALE	1/8" = 1'-0"

1 FRONT ELEVATION (WEST)
A2

2 PARKING LOT SIDE ELEVATION (NORTH)
A2

3 REAR ELEVATION (EAST)
A2

4 SIDE ELEVATION (SOUTH)
A2

MEMO

TO: Planning Advisory Committee

FROM: Abiola Falaye, Land Use Planner, Planning & Strategic Initiatives

DATE: February 06, 2023

RE: **Development Agreement – 3, 4, 5, 7 Robie Street**

PROPOSAL

An application by the property owner, 44143456 Nova Scotia Limited, for a development agreement to allow construction of a commercial office at 3, 4, 5, 7 Robie Street. Note that the existing community hall on 3 Robie Street and the proposed development are non-conforming use, hence, the need for a development agreement.

BACKGROUND INFORMATION

Site Details: The subject properties are located in the General Residential Zone and covers a total area of approximately 2,612m². This includes three abutting lots (3, 5, 7 Robie Street) approximately 2,146m² (0.53acre) on the east of Robie Street and another (4, Robie Street) 466m² lot on the west. As currently configured, the subject property has 55 m of frontage on Robie Street and it is used as a community hall and parking lot. **Figure 1** shows the property location and configuration.

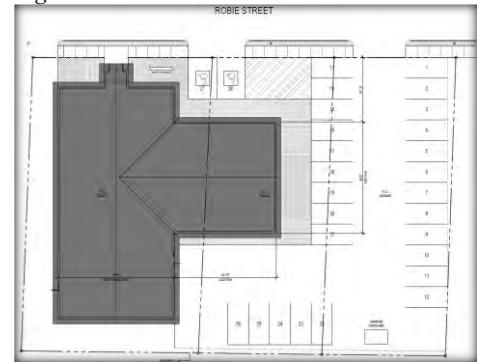
Figure 1. Property Location and Configuration



Neighbourhood Context: The subject property is immediately surrounded by a mix of different residential building types including a Victorian building on the north, detached houses units on the east and west. A funeral home is also located in the Institutional Zone on the south end. The property is within short walking distance from downtown Amherst, social services and recreational facilities including the YMCA, Amherst Theater, among others.

Proposal Details: As shown in **Figure 2**, the existing building on the property will be renovated and its use converted from a community hall to a commercial office (law office/firm). Both the existing and proposed developments are a non-conforming land use in the zone, and the planned renovation will affect the building exterior including its shape, size and volume. The rest of the lands will continue to serve as parking, providing up to 28 spaces including 2 disabled parking. The proposed renovation will not reduce the existing setback from Robie Street.

Figure 2. Site Plan



PUBLIC PARTICIPATION OPPORTUNITY

A public participation opportunity advertised in accordance with the Policy for Public Participation and Notification was held on Wednesday, January 18, 2023. A [video](#) of the meeting has been made available on live streamed event section of the Town website, and a [summary](#) is provided as part of the information package.

The only concern raised at the meeting was regarding provision of parking for the funeral home, and this was addressed by Dave McNairn. He promised to work with the funeral home to ensure adequate parking is available to both staff and customers of Hick and Lemoine Law Office and the funeral home.

RELEVANT POLICIES

Land Use Bylaw: Section 4.15 of the Bylaw states that a development permit may be issued to change a non-conforming use to another use not normally permitted on the property by Development Agreement in accordance with Policy GP-11 of the Municipal Planning Strategy (MPS).

Municipal Planning Strategy: Policy GP-11, the most relevant policy to this issue states that:

It shall be the intention of Council to permit, in all designations, a non-conforming use to change to another use not normally permitted on the property by way of Development Agreement. In considering such a development agreement, Council shall consider the following:

- a) that the proposed use exerts a similar or less of an impact on the surrounding neighborhood;*
- b) the use of buffering, landscaping or fencing to reduce possible impacts or otherwise improve the property;*
- c) that adequate parking is provided for the new use; or the existing parking situation is improved by virtue of the development agreement;*
- d) the proposal will not involve any expansion of the use onto a lot not originally occupied by the use except for the provision of parking;*
- e) signage on the property;*
- f) hours of operation;*
- g) the adequacy of the transportation network to accommodate the proposed use.*

The proposed law office on this property is unlikely to exert a disproportionate impact on the Neighbourhood compared to its current use. Although the proposed renovation will reduce the

number of existing parking spaces, the 28 spaces planned are adequate for the intended use, and the expansion is within the existing setback. The operating hours of this law office (currently between 8.30 am – 5.00 pm from Monday to Friday) are also acceptable within a residential Neighbourhood with good access to Robie Street connecting Havelock and Church Street on the north and south, respectively. In addition, besides the possible noise from cars driving in and out of the parking lot, the activity inside the building should not cause any significant disturbance to the surrounding.

Moreover, since the commercial office will be operating within regular business hours, the neighbourhood will experience a more steady and predictable level traffic and activity compared to the community hall where events take place sporadically.

Other MPS policies relevant to this issue include the following:

A-5 It shall be the intention of Council, when considering an amendment to this or any other planning document, including the entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:

- a) *That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.*
- b) *That the proposal is not premature or inappropriate by reason of:*
 - (i) the financial capability of the Town to absorb any costs relating to the development;*
 - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;*
 - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;*
- c) *That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:*
 - (i) type of use;*
 - (ii) height, bulk and lot coverage of any proposed building;*
 - (iii) parking, traffic generation, access to and egress from the site;*
 - (iv) any other matter of planning concern outlined in this strategy.*

The proposal conforms with the general intent of MPS Policy A-5. There will be no undue impact on the town's financial capacity or the adequacy of municipal infrastructure. Regarding the extent to which the development might conflict with adjacent or nearby land uses, no significant negative impact on the surrounding neighbourhood is anticipated. The proposed development will likely increase traffic along Robie Street, but this addition should not be high enough to cause a significant disturbance in the neighborhood. The traffic will also be consistent and predictable compared to the current use where events occur at unprecedented times and irregular intervals.

GP-7 It shall be the intention of Council to allow a mix of compatible land uses and to minimize their impacts by:

- a) *requiring adequate buffering and setbacks;*
- b) *screening development by the use of visual barriers;*
- c) *regulating the location of parking, storage buildings or other accessory uses or facilities.*

The proposal is generally compatible with the existing residential use in the surrounding neighborhood.

CONCLUSIONS:

The proposal generally conforms to the relevant policies of the MPS and LUB. The redevelopment will bring vibrancy and diversity to this Neighbourhood without disrupting its safety and tranquility. Nevertheless, considering the present configuration of the lands and the coverage of the proposed development, consolidation of lands may be necessary for lots 3, 5, and 7 Robie Street.

OPTIONS:

- Option One: Recommend to Council to enter into the Development Agreement for 3, 4, 5, 7 Robie Street as drafted by Staff, subject to any revisions that may arise.
- Option Two: Recommend to Council not to enter into the Development Agreement for 3, 4, 5, 7 Robie Street, citing specific policies with which the proposal does not conform.
- Option Three: Defer the application and instruct Staff to provide more information or negotiate changes to the agreement.

STAFF RECOMMENDATION: Option One.

Planning Advisory Committee

**Development Agreement Application to Permit a Commercial Land
Use on 3, 4, 5, 7, Robie Street**

February 6, 2023



INTRODUCTION

Aim

The purpose of this session is to give the public an opportunity to be aware of a proposed commercial development on 3,4,5,7 Robie Street, Amherst, and enable them to provide input prior to the Council making a final decision.

Objectives

Specifically, the following will be addressed:

- i. Explain the concept of “development agreement” and how it is administered in the Town of Amherst.
- ii. Describe the proposal and why a development agreement is required before it can be permitted within the Town.
- iii. Outline relevant Town of Amherst’s land use bylaws and policies in relation to the proposal.



DEVELOPMENT AGREEMENT PROCESS



***All meetings of the PAC and Council are open to the public.**

APPLICATION DETAILS

Applicant: Hicks Lemoine Law Office

Owner: 44143456 Nova Scotia Ltd

Summary of Proposal: Application to change of an existing non-conforming use to another non-conforming use.

Location: 3,4,5,7, Robie Street, Amherst.

Property Size: 2,146m² (0.53acre) extending from lot 3 to 7 Robie Street, and 466m² lot 4 across the street.

Street Frontage: 55m on Robie Street.

Existing Land Use: Community hall and parking

Existing Zoning: General Residential



According to the Town of Amherst's Land Use Bylaw and Municipal Planning Strategy, a development agreement is required to change a non-conforming land use to another non-conforming land use.

(A non-conforming use of land means a use of land that is not permitted in the zone (Municipal Government Act, Part VIII, Section 191, paragraph (j))).



NEIGHBOURHOOD CONTEXT

- ❑ The **subject property** is located in a residential neighbourhood and surrounded by a mix of different building types including a Victorian building on the north, detached residential housing units on the east and west, and a funeral home on the south end.
- ❑ The property is within short walking distance from downtown Amherst, social services and recreational facilities including the YMCA, Amherst Theater, among others.



SITE PLAN

General Description: The applicant intends to renovate the existing community hall on the site and change its use to a commercial office space (law office/firm).

Both the existing and proposed developments are non-conforming land use in the zone, and the planned renovation will affect the building exterior including its shape, size and volume.

Total Building Area: 661m² (0.16 acres)

Property Area: 2,1467m² (0.53acre)

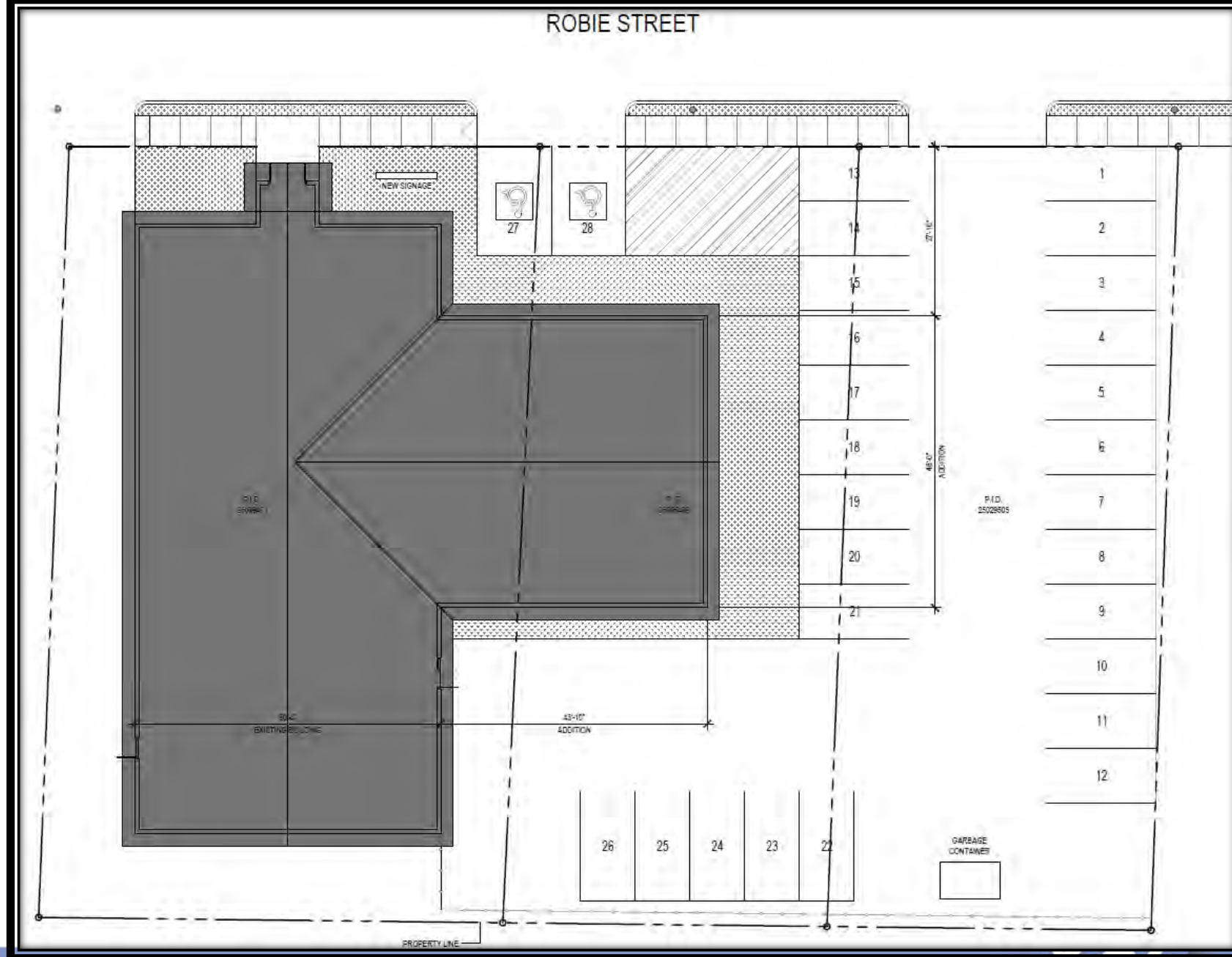
Parking: 28 spaces including 2 disabled parking spaces.

Access: Vehicle access from Robie Street, and connection to Church Street on the south and Havelock Street in the north.

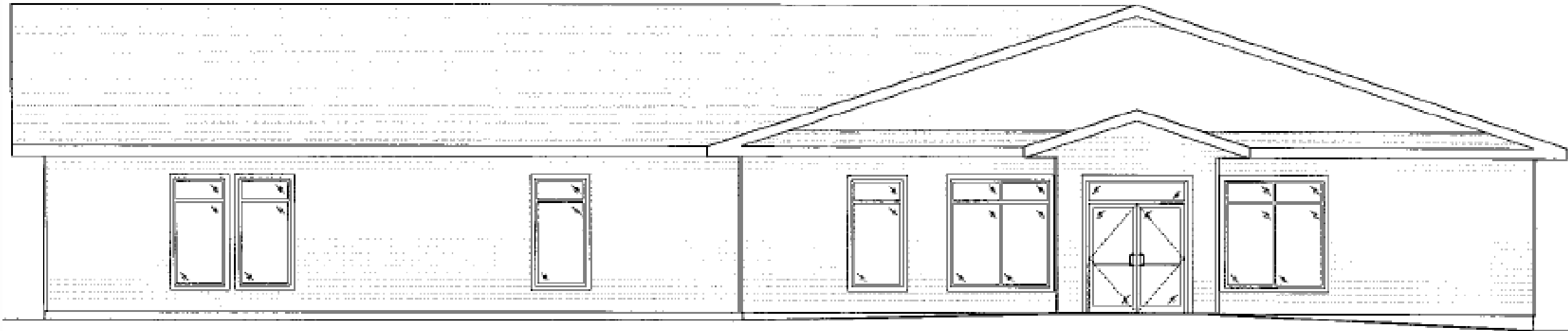
Building Dimensions: The proposed extension is 43 feet x 48 feet

Setbacks: 2.5m from Robie Street

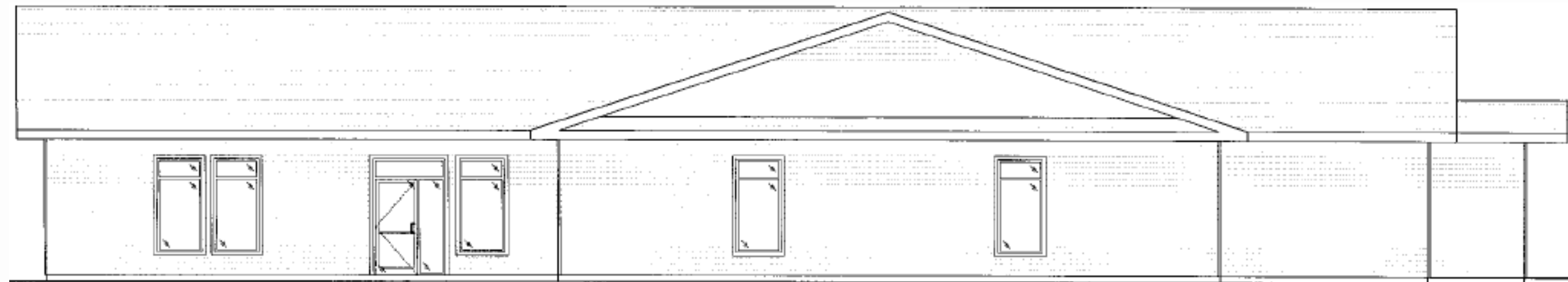
Signage: A new sign will be erected 4m from Robie Street



BUILDING ELEVATIONS

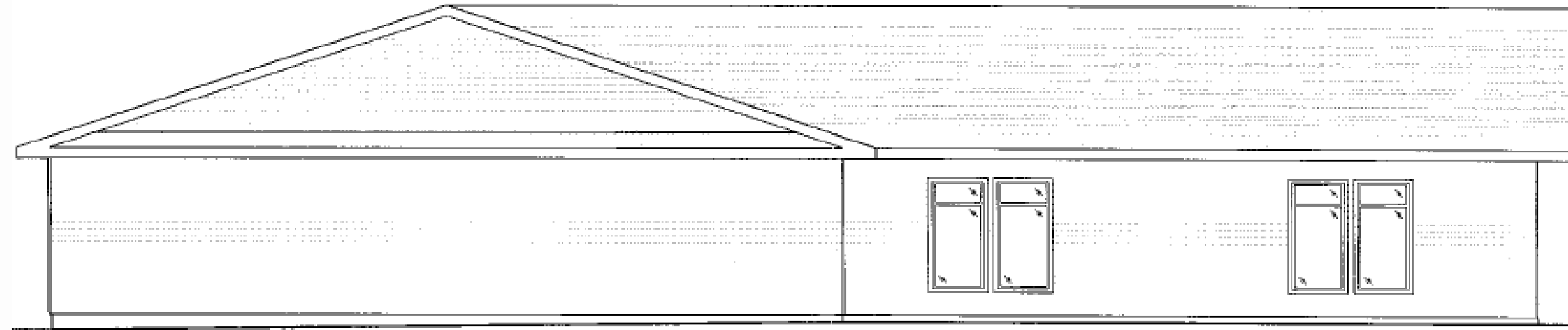


Front Elevation (extending by 93m along Robie Street)

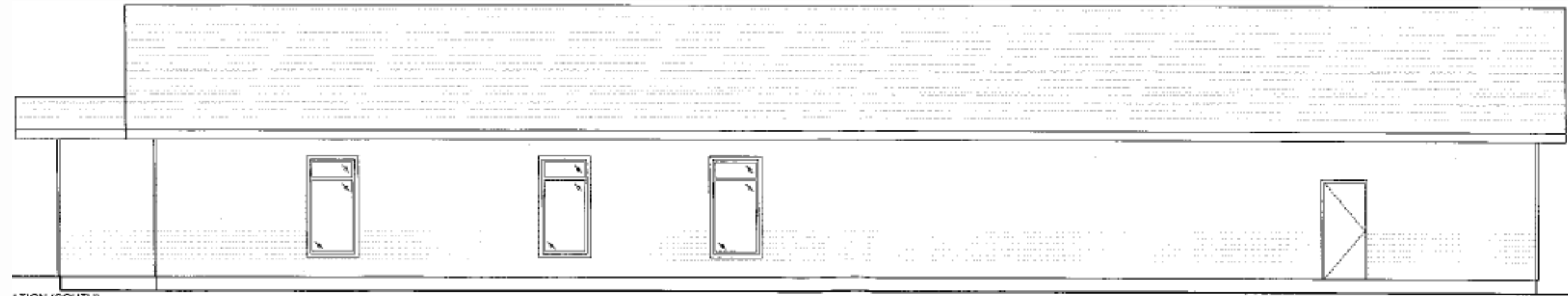


Left Side Elevation (extending by 100m on the side of the parking lot)

BUILDING ELEVATIONS



Rear Elevation



Right Side Elevation

RELEVANT PLANNING BYLAWS AND POLICIES

1. Non-Conforming Use Changed by Development Agreement (Land Use Bylaw Section 4.15)

A development permit may be issued to change a non-conforming use to another use not normally permitted on the property by Development Agreement in accordance with Policy GP-11 of the Municipal Planning Strategy.

2. General Land Use Policy on Non-Conforming Uses (Municipal Planning Strategy, GP-11)

It shall be the intention of Council to permit, in all designations, a non-conforming use to change to another use not normally permitted on the property by way of Development Agreement. In considering such a development agreement, Council shall consider the following:

- (a) that the proposed use exerts a similar or less of an impact on the surrounding neighbourhood;
- (b) the use of buffering, landscaping or fencing to reduce possible impacts or otherwise improve the property;
- (c) that adequate parking is provided for the new use; or the existing parking situation is improved by virtue of the development agreement;
- (d) the proposal will not involve any expansion of the use onto a lot not originally occupied by the use except for the provision of parking;
- (e) signage on the property;
- (f) hours of operation;
- (g) the adequacy of the transportation network to accommodate the proposed use.

RELEVANT PLANNING BYLAWS AND POLICIES

3. Implementation Policy on Amendment Criteria (Municipal Planning Strategy, A-5)

It shall be the intention of Council, when [...] entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:

- (a) That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.
- (b) That the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Town to absorb any costs relating to the development;
 - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;
 - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;
- (c) That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) parking, traffic generation, access to and egress from the site;
 - (iv) any other matter of planning concern outlined in this strategy.

RELEVANT PLANNING BYLAWS AND POLICIES

4. General Land Use Policy on Compatibility (Municipal Planning Strategy GP-7)

It shall be the intention of Council to allow a mix of compatible land uses and to minimize their impacts by:

- (a) requiring adequate buffering and setbacks;
- (b) screening development by the use of visual barriers;
- (c) regulating the location of parking, storage buildings or other accessory uses or facilities.

5. General Land Use Policy on Density (Municipal Planning Strategy GP-8)

It shall be the intention of Council to allow development at a density appropriate to the overall desired character of the town.

6. Signs in Residential Zones (Land Use Bylaw Section 6.6)

Unless otherwise specified in this Bylaw, signage in a Residential Zone shall be subject to the following requirements:

- (a) The maximum sign area shall be 0.6m² per side in the case of a two sided sign.
- (c) The maximum height of the sign shall be 1.5 m.
- (d) Facia signs shall not be located in excess of 3 m above the grade of the wall upon which it is affixed.
- (e) The sign shall be set back a minimum of 1 m from any lot line.
- (f) Offsite signs are not permitted.

SYNOPSIS

264 Church Street

Development Agreement

First Reading

Approval of the application for a development agreement would permit the construction of a 96-bed long-term care facility at 264 Church Street.

An advertised Public Participation Opportunity was held on January 18, 2023. The only concern raised at the meeting was regarding traffic and this was addressed by staff.

On February 6, 2023 the PAC recommended that Council enter into the attached Development Agreement for 264 Church Street.

MOTION:

That Council give First Reading of the Development Agreement for 264 Church Street to permit the construction of a 2-storey, 96 bed long term care facility, and schedule a Public Hearing for March 22nd at 12 noon.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Andrew Fisher, Director of Planning & Strategic Priorities

DATE: February 27, 2023

SUBJECT: Development Agreement – 264 Church Street

ORIGIN: An application for a development agreement to allow construction of a 96-bed long-term care facility at 264 Church Street.

LEGISLATIVE AUTHORITY: *Municipal Government Act* Part VIII Planning and Development.

PAC RECOMMENDATION: On February 6, 2023 the PAC recommended that Council enter into the attached Development Agreement for 264 Church Street that would permit the construction of a 96-bed long-term care facility.

BACKGROUND: Attached is the draft development agreement. An advertised Public Participation Opportunity was held on January 18, 2023. The only concern raised at the meeting was regarding traffic and this was addressed by staff.

Council is referred to the February 6, 2023 staff report to the PAC that contains details about the proposed development, input received through the January 18, 2023 Public Participation Opportunity, information provided by the applicant, and a review of the relevant MPS policies.

DISCUSSION: As detailed in the attached staff report to the PAC, the proposal meets the general intent of MPS policies. The development agreement process provided the public an opportunity to give input that is detailed in the report. Should Council decide to give First Reading of the agreement, the public will have another opportunity to provide input at a public hearing before Council.

FINANCIAL IMPLICATIONS: No significant costs specific to this issue. Ongoing tax revenue upon completion of the development.

SOCIAL JUSTICE IMPLICATIONS: None specific to this issue.

ENVIRONMENTAL IMPLICATIONS: The proposal is considered infill development and represent efficient use of land and does not require significant extension of municipal services.





AMHERST TOWN COUNCIL

RFD# 2023020

Date: February 27, 2023

COMMUNITY ENGAGEMENT: January 18, 2023 Public Participation Opportunity, and Public Hearing if First Reading is given. If approved, notice of the right to appeal council's decision is placed in the local newspaper.

ALTERNATIVES: 1) Give First Reading of the development with specific amendments; 2) Refer the application back to the PAC for more information; 3) Reject the application citing specific policies that are not met by the proposal.

ATTACHMENTS: 1) Development Agreement; 2) Staff report to PAC.

Report prepared by:

Report and Financial approved by:



Case No: DA-2023-XX

This Agreement made this _____ Day of _____ 2023.

Between:

Gem Health Care Group Limited (owner of property located at 264 Church Street, Amherst [PID 25014580], hereinafter called the "Owner"),

of the one part, and

The Town of Amherst (a body corporate in the Province of Nova Scotia, hereinafter called the "Town"),

of the other part.

WHEREAS the Owner wishes to obtain permission pursuant to Policy RP-19 of the Municipal Planning Strategy of the Town of Amherst, to construct a 2-storey 96 bed long term care facility at 264 Church Street, Amherst (PID 25014580).

AND WHEREAS a condition of the granting of approval of Council is that the Owner enter into an Agreement with the Town;

AND WHEREAS the Council of the Town, at its meeting on the ____th Day of _____ 2023, approved the said Development Agreement, subject to the registered Owner of the land described herein entering into this Agreement;

AND WHEREAS the following Schedules shall be attached to and form part of this Agreement:

- (a) Schedule 'A' - Terms and Conditions
- (b) Schedule 'B' - Property Location Map
- (c) Schedule 'C' – Site Plan
- (d) Schedule 'D' – Floor Plan
- (e) Schedule 'E' – Building Elevation

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Town of the Development Agreement requested by the Owner, the Owner agrees as follows:

- 1) That the Owner is the registered owner of the aforesaid Land in the Town of Amherst, hereinafter called the "Land". The aforesaid Land is the only land in the Town of Amherst to which this Agreement applies, and the Land is illustrated in the plan shown on Schedule B attached.
- 2) That the Owner may construct a maximum of a 2-storey 96 bed long term care facility on the said Land, subject to Schedules A, B, C, D and E attached.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property

(other than the Land Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.

- 4) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 7) The Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

SIGNED, SEALED AND DELIVERED

In the presence of

THE TOWN OF AMHERST

David Kogon MD, Mayor

Jason MacDonald, MCIP, LPP, CAO

FOR THE OWNER

???????

Schedule A

264 Church Street - Development Agreement

Terms and Conditions:

1.0 USE OF LAND AND BUILDINGS

- 1.1 The use of the properties shall be limited to residential uses within a maximum of a 2-storey (plus roof structure), 96-bed long-term care facility and one existing vacant dwelling in the general location as shown on Schedule 'C', 'D', and 'E'.
- 1.2 A minimum of 90 parking spaces shall be provided on the Land and shall be generally configured as shown on Schedule 'C'. Variations to the number or layout of parking spaces may be permitted to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 1.4 Accessory buildings may be permitted on the Land in accordance with the *Town of Amherst Land Use Bylaw* and shall not be considered a substantial change to this agreement.
- 1.5 The long-term care facility shall generally conform to the designs shown on Schedule 'D' and 'E'. Variations to the architectural details and footprint of the dwellings may be permitted to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 1.6 The Owners shall be responsible for landscaping unpaved areas and maintenance on the Land.
- 1.7 The Owner shall be responsible for maintaining screened solid waste containment areas, generally in the locations shown on Schedule 'C'.
- 1.8 Paving of the driveways and parking areas shall be completed for the facility within twelve (12) months from the date an Occupancy Permit is issued.

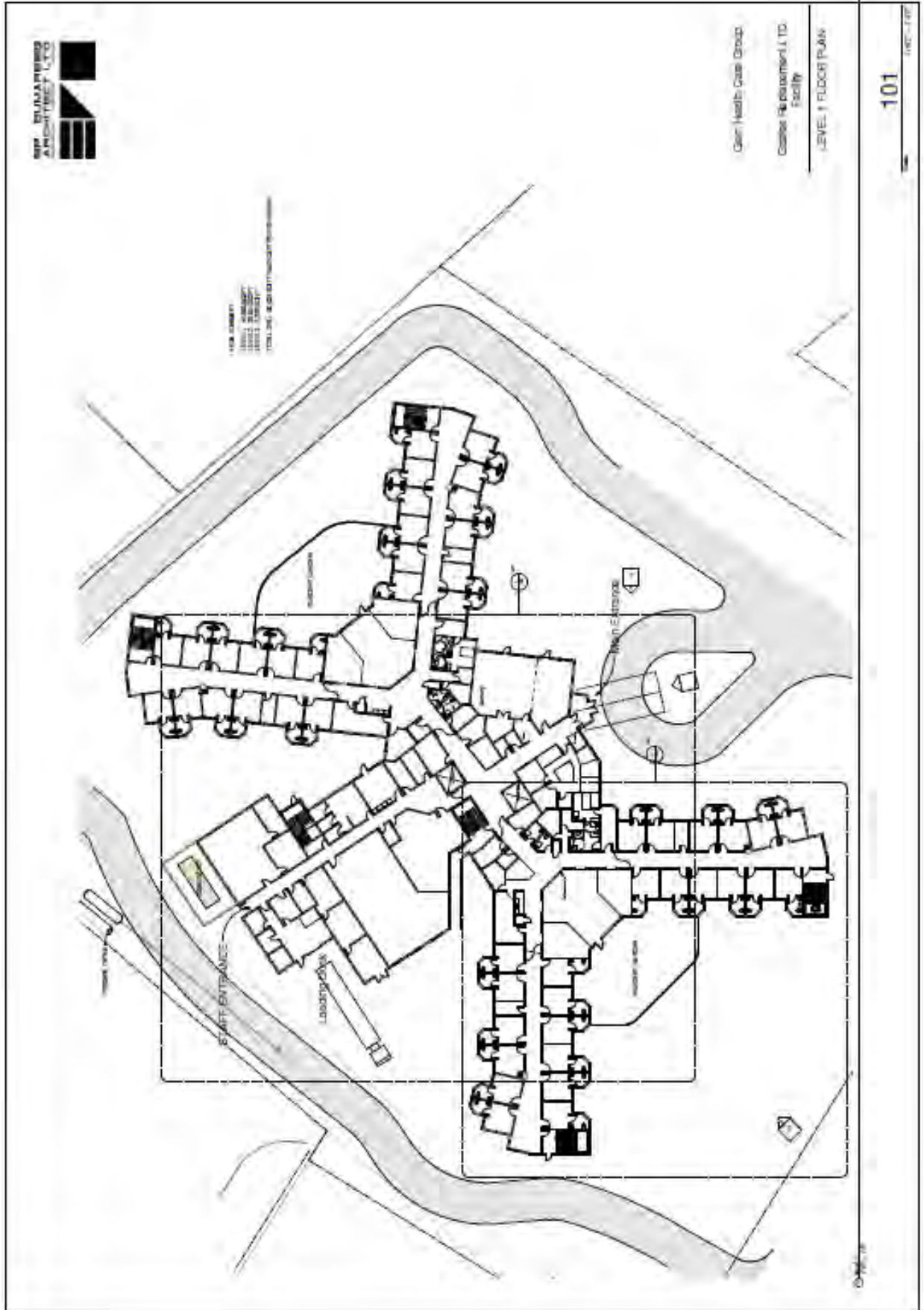
2.0 GENERAL REQUIREMENTS

- 2.1 The Owner shall keep the Land and building and any portion thereof clean and in good repair. All elements of the development on the Land shall be regularly maintained and kept in a tidy state, and free from unkept materials of any kind.
- 2.2 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties.
- 2.3 Solid waste management shall be in conformance with the Town of Amherst *Solid Waste Bylaw*.
- 2.4 The Owner shall be responsible for storm water management during and after construction.
- 2.5 The Owner shall take all reasonable steps to maintain a clean worksite during construction by picking up building material waste.

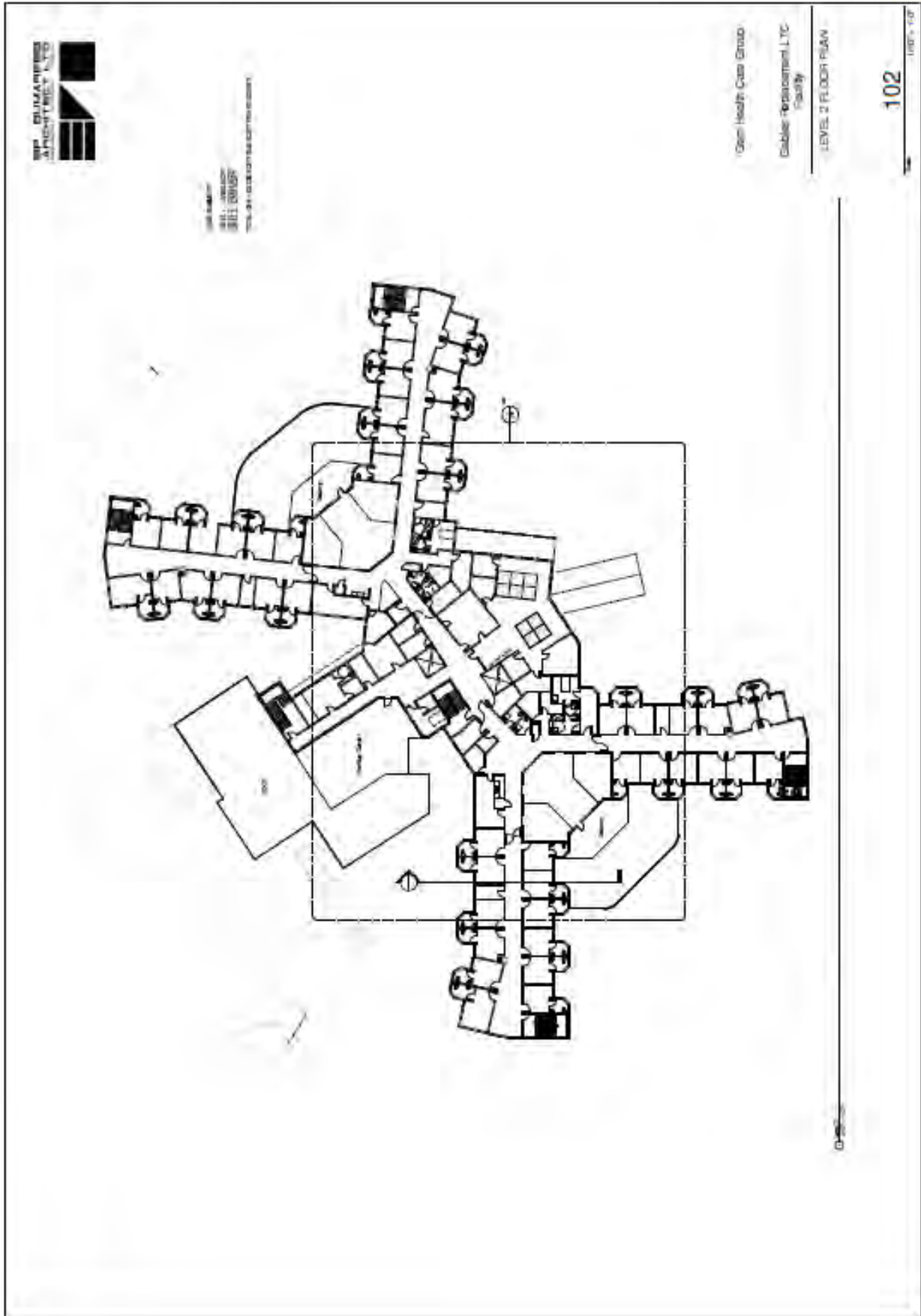
SCHEDULE 'B'



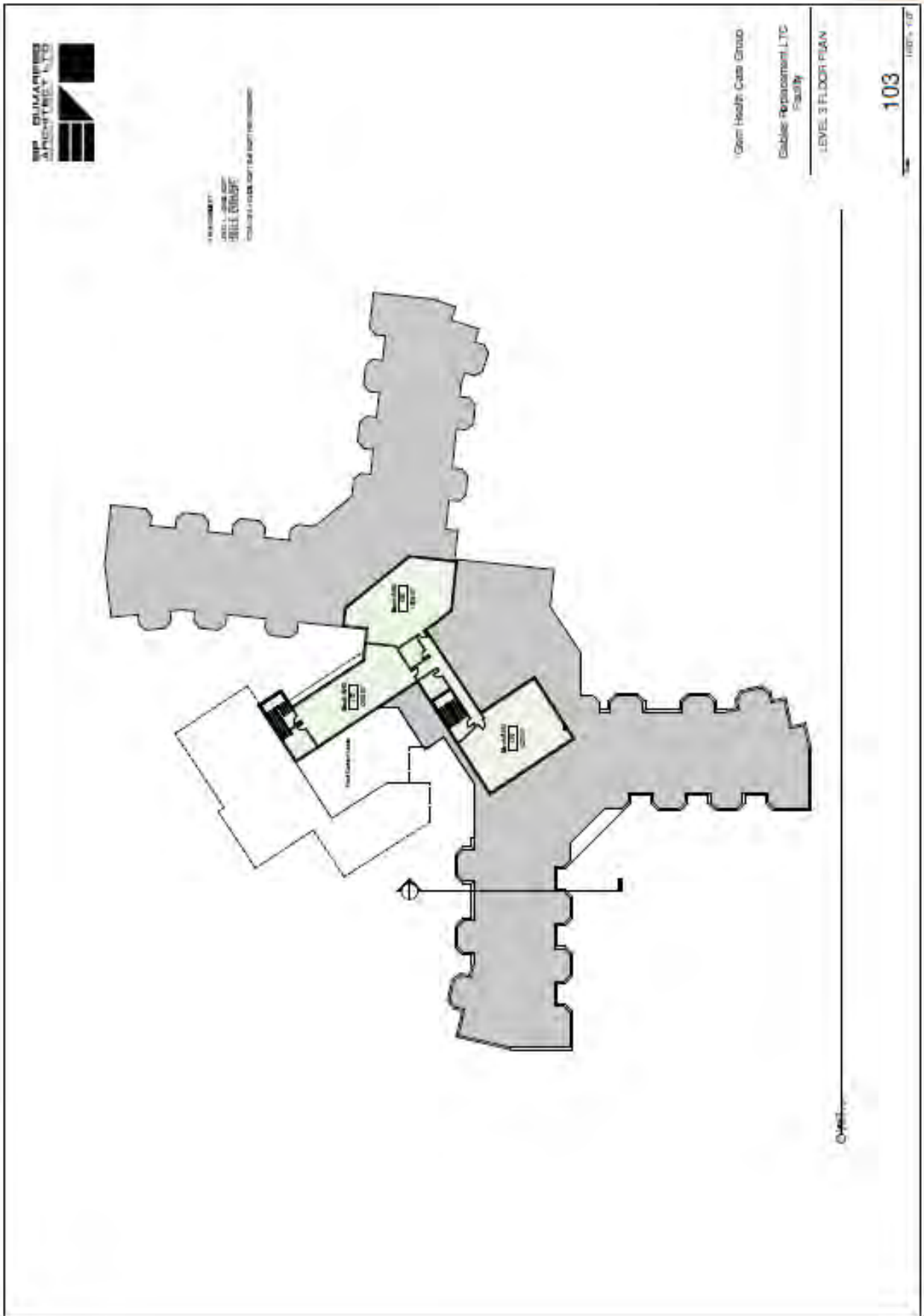
SCHEDULE 'D'



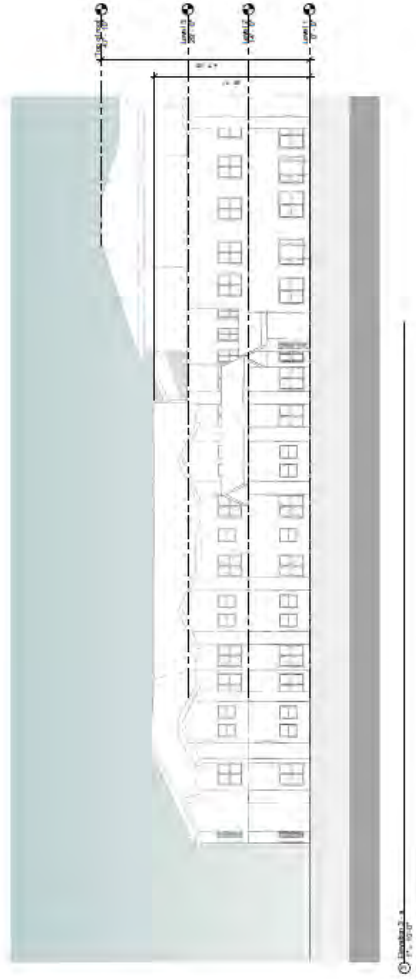
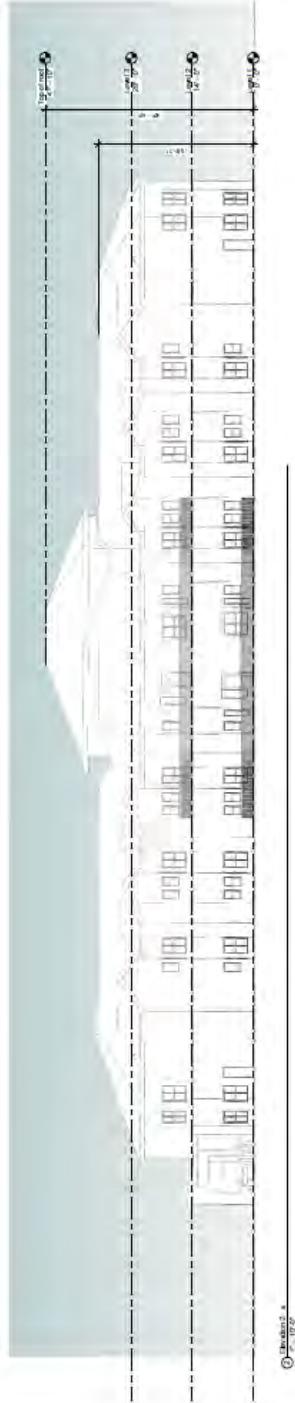
SCHEDULE 'D'



SCHEDULE 'D'



SCHEDULE 'E'



Gem Health Care Group
Gables Replacement LTC
Facility
Building Elevations

112

Scale 1" = 10'-0"

MEMO

TO: Planning Advisory Committee

FROM: Abiola Falaye, Land Use Planner, Planning & Strategic Initiatives

DATE: February 06, 2023

RE: **Development Agreement – 264 Church Street, Amherst.**

PROPOSAL

An application by the property owner, Gem Health Care Group Limited, for a development agreement to allow construction of a 2-storey, 96-Bed long term care facility at 264 Church Street.

BACKGROUND INFORMATION

Site Details: The subject property, located in the General Residential Zone, is a primarily vacant field approximately 14,973 m² (3.7 acres) in area. A vacant dwelling unit is also on the site. As currently configured, the subject property has 120m on Church Street. **Figure 1** shows the property location and configuration.

Figure 1. Property Location and Configuration



Neighbourhood Context: The Subject property is located on the western end of Town. There is currently an unoccupied detached building on the site, a vast amount of vacant/ undeveloped land towards the north and south, and a few detached housing units on the east and south, and a concentration of electricity distribution poles and transformers on the west side. Directly across the site along Church Street is an old industrial building currently used as a storage facility. Complementary health and social facilities and services near the proposed development include Beltone Professional Hearing Care Center, Amherst Pharmasave, Cumberland Physiotherapy, Faith United Pentecostal Church, and two care other homes, Centennial Villa and Gables lodge.

Figure 2. Site Plan



Proposal Details: According to the site plan (**Figure 2**), the proposal contains a 2-storey 96-bed long-term care facility covering approximately 3,807.63 m² (40,985

sqft). Two vehicular accesses are available on Church Street, with up to 90 off-street parking spaces. Site landscaping also features trees and shrubs for buffer and aesthetics.

PUBLIC PARTICIPATION OPPORTUNITY

A public participation opportunity advertised in accordance with the Policy for Public Participation and Notification was held on Wednesday, January 18, 2023. A [video](#) of the meeting has been made available on live streamed event section of the Town website, and a [summary](#) is provided as part of the information package.

No concern was received regarding this proposal during the public participation opportunity. However, a nearby resident emailed staff to ask about the traffic impact of the proposed development on Robert Agnus Drive and Church Street. Staff addressed this concern by explaining that although the proposed development may increase traffic along Church Street and Robert Agnus Drive, the existing road design, being arterial streets, are adequate to accommodate the anticipated increase. Also, since the proposed facility is intended to replace Gables Lodge (an existing facility in the area), there will be some considerable traffic reduction to make up for the traffic increase that will result from the new development.

RELEVANT POLICIES

Land Use Bylaw: Section 7.2.2 of the Bylaw states that in a Residential Zone, an application for the following uses shall be considered by development agreement in accordance with the applicable Municipal Planning Strategy (MPS) Policy:

- (e) Long term care facilities and homes for special care in accordance with Policy RP-19.

Municipal Planning Strategy: Policy RP-19, the most relevant policy to this issue states that:

Within the Residential Designation, it shall be the intention of Council to ensure Long Term Care Facilities and Homes for Special Care occur in a manner compatible with a low-density residential neighbourhood. Specifically, Council shall require that all long-term care facilities and homes for special care be subject to a Development Agreement. In negotiating such an agreement Council shall:

- a) ensure that the structure(s) is located on the lot in such a manner as to limit potential impacts on surrounding low density residential developments;*
- b) ensure that the development provides sufficient on-site parking, and appropriate access to, and egress from the street;*
- c) ensure that the location of parking facilities does not dominate the surrounding area, including the utilization of vegetation and fences to mitigate the aesthetic impacts of parking lots;*
- d) ensure that any on site outdoor lighting does not negatively impact the surrounding properties;*
- e) ensure that any signage on the property is sympathetic to the surrounding residential properties;*
- f) require the use of vegetation to improve the aesthetic quality of the development;*
- g) ensure that the architecture of the building is sympathetic to any existing development in the surrounding area.*

The proposed lot for the development is of sufficient size to accommodate it without dominating or negatively impacting the surrounding properties. Besides, the architecture is sympathetic, landscaping is well planned, parking is sufficient, and coverage of the building as shown on the site plan is satisfactory. Other issues including lighting and signage are addressed in the development agreement.

Other MPS relevant policies to this issue include the following:

A-5 It shall be the intention of Council, when considering an amendment to this or any other planning document, including the entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:

- a) *That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.*
- b) *That the proposal is not premature or inappropriate by reason of:*
 - (i) the financial capability of the Town to absorb any costs relating to the development;*
 - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;*
 - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;*
- c) *That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:*
 - (i) type of use;*
 - (ii) height, bulk and lot coverage of any proposed building;*
 - (iii) parking, traffic generation, access to and egress from the site;*
 - (iv) any other matter of planning concern outlined in this strategy.*

The proposal conforms with the general intent of MPS Policy A-5. There will be no undue impact on the town's financial capacity or the adequacy of municipal infrastructure. Regarding the extent to which the development might conflict with adjacent or nearby land uses, no significant negative impact on the surrounding Neighbourhood is anticipated. The proposed development will likely increase traffic along Church Street and Robert Agnus Drive, but the existing road design is adequate to cater for this.

GP-7 It shall be the intention of Council to allow a mix of compatible land uses and to minimize their impacts by:

- a) *requiring adequate buffering and setbacks;*
- b) *screening development by the use of visual barriers;*
- c) *regulating the location of parking, storage buildings or other accessory uses or facilities.*

The proposal is generally compatible with the existing residential use in the surrounding neighborhood.

MS-11 It shall be the intention of Council to encourage and facilitate the development of vacant land located on existing municipal services in order to make more efficient use of such services.

The proposal is an infill development, which speaks to the efficient use of land that does not require expanding the existing town infrastructure. The street network in this area has relatively high connectivity with close access to shopping and other health and social facilities and services.

CONCLUSIONS:

The proposal generally conforms to the relevant policies of the MPS and LUB. The facility will meet the need of the community by providing specialized care for seniors, employment opportunities for healthcare workers, light duty cleaners, and administrative officers, among others in the community, promoting social inclusion among older adults and increasing commerce in the Town, particularly in the retail on South Albion Street/ Robert Agnus Drive.

OPTIONS:

Option One: Recommend to Council to enter into the Development Agreement for 264 Church Street, as drafted by Staff, subject to any revisions that may arise.

Option Two: Recommend to Council not to enter into the Development Agreement for 264 Church Street, citing specific policies with which the proposal does not conform.

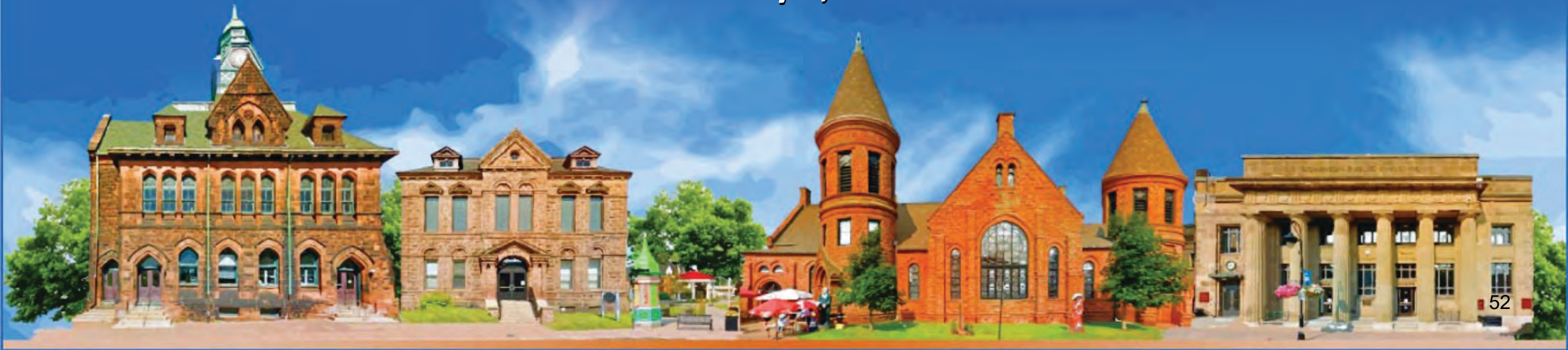
Option Three: Defer the application and instruct Staff to provide more information or negotiate changes to the agreement.

STAFF RECOMMENDATION: Option One.

Planning Advisory Committee

Development Agreement Application to Permit a Long term care facility on 264, Church Street

February 6, 2023



INTRODUCTION

Aim

The purpose of this session is to give the public an opportunity to be aware of a proposed long term care facility on 246 Church Street, Amherst, and enable them provide input prior to the Council making a final decision.

Objectives

Specifically, the following will be addressed:

- i. Explain the concept of “development agreement” and how it is administered in the Town of Amherst.
- ii. Describe the proposal and why a development agreement is required before it can be permitted within the Town.
- iii. Outline relevant Town of Amherst’s land use bylaws and policies in relation to the proposal.



DEVELOPMENT AGREEMENT PROCESS



***All meetings of the PAC and Council are open to the public.**

APPLICATION DETAILS

Applicant: Sunrose Land Use Consulting – Jenifer Tsang.

Owner: Gem Health Care Group

Summary of Proposal: 96-Bed Long term care facility (2-storey)

Location: 264 Church Street.

Property Size: 14,973 m² (3.7 acres).

Street Frontage: 120m on Church Street.

Existing Land Use: Vacant dwelling

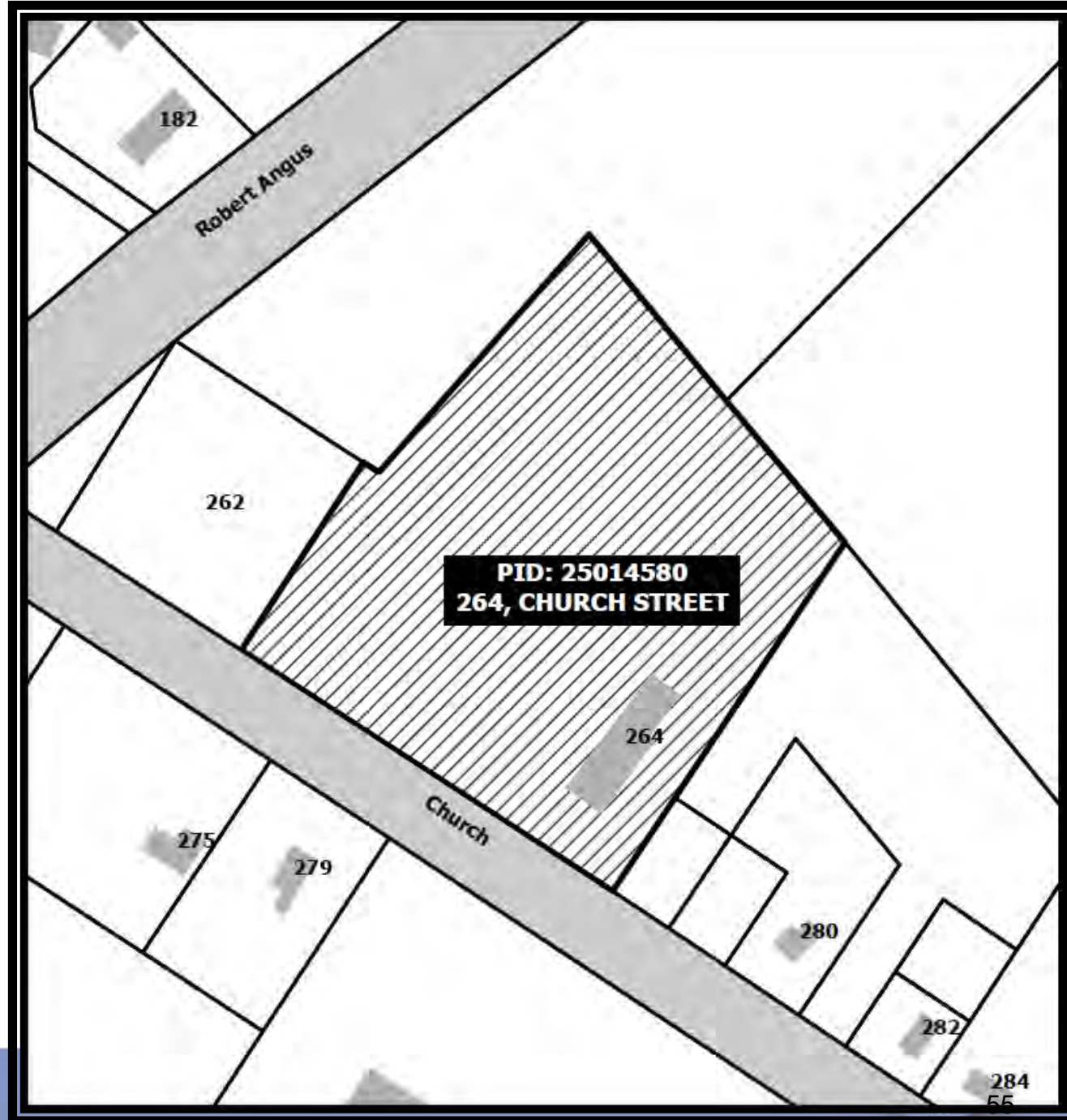
Existing Zoning: General Residential



Amherst's Land Use Bylaw and Municipal Planning Strategy require a development agreement to permit the development of a long term care facility in a residential zone.

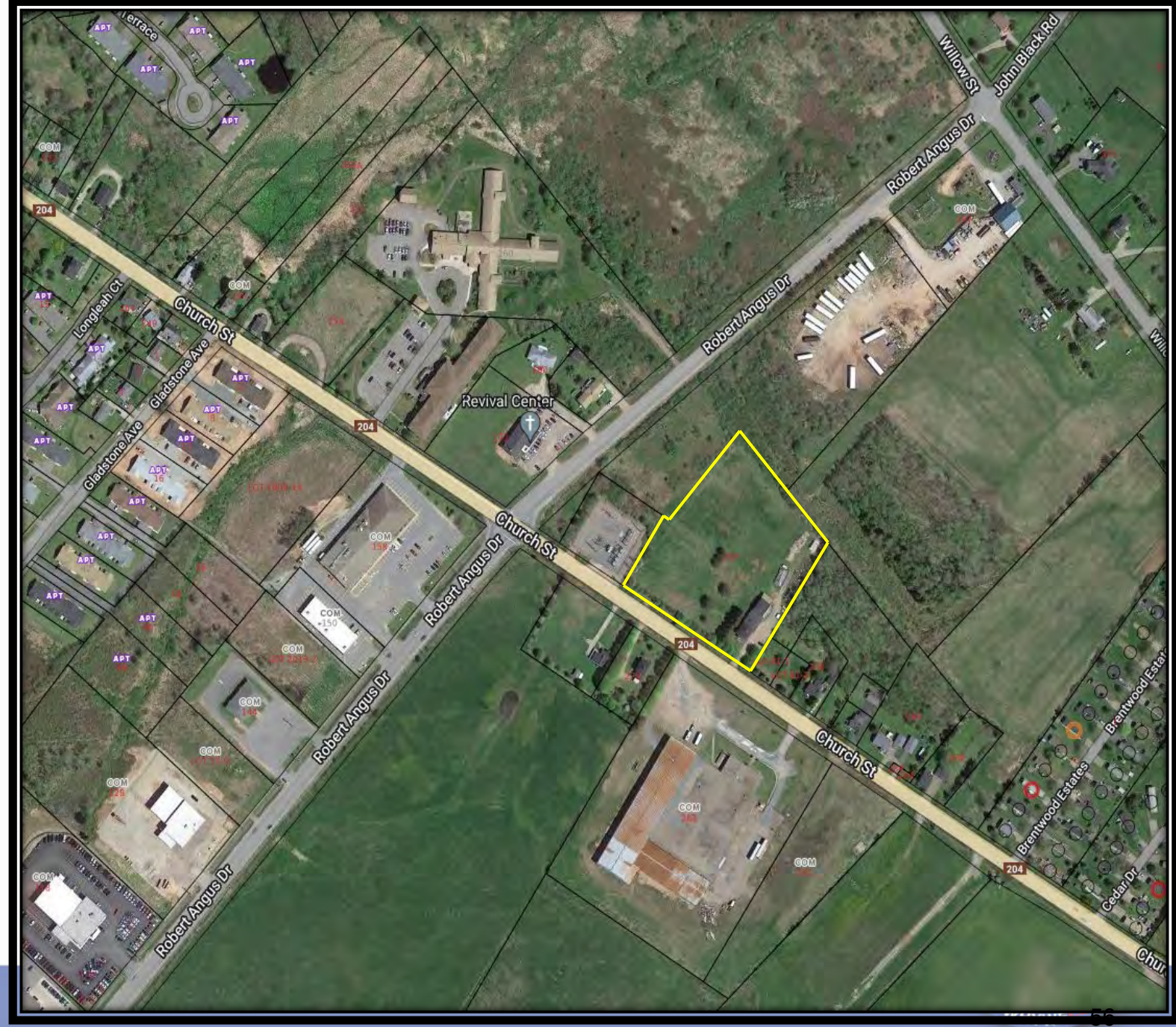
Residential Care Facility means a community-based group living arrangement, in a single housekeeping unit, for eight (8) or more individuals, exclusive of staff and/or receiving family, with social, legal, emotional, mental and/or physical handicaps or problems, that is developed for the well being of its residents through self-help, professional care, guidance and supervision unavailable in the resident's own family, an institution or in an independent living situation (Land Use ByLaw, Town of Amherst).

#seewhyweloveit



NEIGHBOURHOOD CONTEXT

- ❑ The Subject property is located on the western end of Town.
- ❑ There is currently an unoccupied detached building on the site, a vast amount of vacant/undeveloped land towards the north and south, and a few detached housing units on the east and south, and a concentration of electricity distribution poles and transformers on the west side.
- ❑ Directly across the site along Church Street is an old industrial building currently used as a storage facility.



NEIGHBOURHOOD CONTEXT



❑ Complementary health and social facilities and services near the proposed development include Beltone Professional Hearing Care Center (BPHCC), Amherst Pharmasave (AP), Cumberland Physiotherapy (CP), and Faith United Pentecostal Church (FUPC).

❑ Also, there is currently two care homes near the site, i.e. Centennial Villa and Gables lodge which the proposed developed is planned to replace.



SITE PLAN

General Description: The applicant is planning to building a 2 storey 96 bed long term care facility.

Total Building Area: 3,807.63 m² (40,985 sqft)

Property Area: 14,973 m² (3.7 acres)

Number of beds: 96

Density: 78 m² (840 sqft) per resident

Parking: 90 spaces (0.94 spaces/bed)

Access: Vehicle access from Church Street.

Area Summary

Level 1 - 40,985 Sq/Ft

Level 2 - 33,954 Sq/Ft

Level 3 - 5,700 Sq/Ft



BUILDING ELEVATIONS



Left Side Elevation



Front Elevation (From Church Street)

RELEVANT PLANNING BYLAWS AND POLICIES

1. Permitted Uses by Development Agreement (Land Use Bylaw Section 7.2.2)

In a Residential Zone, an application for the following uses shall be considered by development agreement in accordance with the applicable Municipal Planning Strategy (MPS) Policy:

- (e) Long Term Care Facilities and Homes for Special Care in accordance with Policy RP-19.

2. RP-19 Residential Policy on Long Term Care Facilities (Municipal Planning Strategy)

Within the Residential Designation, it shall be the intention of Council to ensure Long Term Care Facilities and Homes for Special Care occur in a manner compatible with a low density residential neighbourhood. Specifically, Council shall require that all Long Term Care Facilities and Homes for Special Care be subject to a Development Agreement. In negotiating such an agreement Council shall:

- (a) ensure that the structure(s) is located on the lot in such a manner as to limit potential impacts on surrounding low density residential developments;
- (b) ensure that the development provides sufficient on-site parking, and appropriate access to, and egress from the street;
- (c) ensure that the location of parking facilities does not dominate the surrounding area, including the utilization of vegetation and fences to mitigate the aesthetic impacts of parking lots;
- (d) ensure that any on site outdoor lighting does not negatively impact the surrounding properties;
- (e) ensure that any signage on the property is sympathetic to the surrounding residential properties;
- (f) require the use of vegetation to improve the aesthetic quality of the development;
- (g) ensure that the architecture of the building is sympathetic to any existing development in the surrounding area.

RELEVANT PLANNING BYLAWS AND POLICIES

3. Implementation Policy on Amendment Criteria (Municipal Planning Strategy, A-5)

It shall be the intention of Council, when [...] entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:

- (a) That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.
- (b) That the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Town to absorb any costs relating to the development;
 - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;
 - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;
- (c) That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) parking, traffic generation, access to and egress from the site;
 - (iv) any other matter of planning concern outlined in this strategy.

RELEVANT PLANNING BYLAWS AND POLICIES

4. General Land Use Policies on Compatibility (Municipal Planning Strategy, GP-7)

It shall be the intention of Council to allow a mix of compatible land uses and to minimize their impacts by:

- (a) requiring adequate buffering and setbacks;
- (b) screening development by the use of visual barriers;
- (c) regulating the location of parking, storage buildings or other accessory uses or facilities.

5. Municipal Service Policies on In-fill Development (Municipal Planning Strategy, MS-11)

It shall be the intention of Council to encourage and facilitate the development of vacant land located on existing municipal services in order to make more efficient use of such services.

SYNOPSIS

Development Agreement – 155 East Victoria Street

The subject Development Agreement would permit the construction of a 59-unit apartment building at 155 East Victoria Street.

Following an advertised Public Participation Opportunity held on January 18, 2023, the Planning Advisory Committee reviewed the proposal and the public input on February 6, 2023, and recommended that Council not enter into a development agreement to allow the development as proposed.

The applicant has requested an opportunity to revise the proposal such that it may be in keeping with the key policies of the Town's Municipal Planning Strategy. As such, it would be appropriate to send the revised application back to the Planning Advisory Committee for review and further recommendation to Council.

MOTION:

That Council refer the application for a development agreement at 155 East Victoria Street back to the Planning Advisory Committee for consideration of a revised plan when received.



AMHERST TOWN COUNCIL

RFD# 2023021

Date: February 27, 2023

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Andrew Fisher, Director of Planning & Strategic Initiatives

DATE: February 27, 2023

SUBJECT: Development Agreement Application - 155 East Victoria Street

ORIGIN: An application for a development agreement to allow construction of an apartment building at 155 East Victoria Street.

LEGISLATIVE AUTHORITY: *Municipal Government Act* Part VIII Planning and Development.

PAC RECOMMENDATION: On February 6, 2022 the PAC recommended that Council not enter into the Development Agreement for a 59-unit apartment building at 155 East Victoria Street.

PLANNING DIRECTOR RECOMMENDATION: Following the PACs recommendation, the applicant requested that Council consider a revised proposal that significantly reduces the height and location of the building. As such, staff recommend that Council defer consideration of 1st reading and refer the application back to the PAC for further review and recommendation.

BACKGROUND: Attached is a draft development agreement that would permit a 59-unit apartment building. An advertised Public Participation Opportunity (PPO) was held January 18, 2023 where a significant amount of negative public input was received. The minutes from the PPO and written submissions are included in the package. On February 7th the PAC reviewed input received from the PPO and the attached staff report on the application. The report recommended that the PAC recommend that Council not enter into the Development Agreement as the proposal development would not be in keeping with key policies within the town’s Municipal Planning Strategy.

Following the PACs decision, the applicant requested an opportunity to revise the proposal by increasing setbacks from the adjacent dwelling at 153 East Victoria and reduce the height of the building. Revised drawings are currently being developed by the applicant’s architect.

DISCUSSION: As proposed, staff and the PAC recommend that a 59-unit apartment building on this property does not align with the general intent of key MPS policies. In particular, the building height, bulk and location are not compatible with the surrounding neighbourhood. The applicant has requested an opportunity to revise the proposal to address these issues. While it is within Council’s authority at this point to approve or reject the application, it would be appropriate to





AMHERST TOWN COUNCIL

RFD# 2023021

Date: February 27, 2023

defer a decision and send the revised proposal back to the PAC for further review and recommendation.

FINANCIAL IMPLICATIONS: No significant costs specific to this issue.

SOCIAL JUSTICE IMPLICATIONS: None specific to this issue.

ENVIRONMENTAL IMPLICATIONS: The proposal is considered infill development and represents efficient use of land and does not require significant extension of municipal services. Stormwater management plans are required under the development agreement.

COMMUNITY ENGAGEMENT: January 18, 2022 Public Participation Opportunity, and Public Hearing if First Reading is given. If approved, notice of the right to appeal council's decision is placed in the local newspaper.

ALTERNATIVES: 1) Give First Reading of the development; 2) Reject the application.

ATTACHMENTS: February 6, 2023 PAC package that includes: Staff report, Draft Development Agreement, Application Briefing, Applicant submissions, PPO Minutes and written submissions.

Report prepared by: A.Fisher
Report and Financial approved by:



MEMO

TO: Planning Advisory Committee

FROM: Andrew Fisher, Director of Planning & Strategic Initiatives

DATE: February 6, 2023

RE: **Development Agreement – Apartment Building – 155 East Victoria Street**

PROPOSAL:

An application by Leslie Carrie for a development agreement to allow construction of a 59-unit apartment building at 155 East Victoria Street (Lot 2005-1A, PID 25034091).

BACKGROUND INFORMATION:

The attached application briefing provides the site details, neighborhood context, shadow casting analysis and building proposal details.

PUBLIC PARTICIPATION OPPORTUNITY

A public participation opportunity advertised in accordance with the Policy for Public Participation and Notification was held on January 18, 2023. A video of the meeting has been made available, and a summary is provided as part of the information package. Written submissions are also part of the information package. Some of the concerns raised at the meeting could be summarized as follows:

- The building is out of scale with adjacent detached dwellings in terms of the number of units and bulk, height and position
- Not sensitive to the established neighbourhood character
- Approval of this will set a precedent for all residential neighbourhoods
- Loss of privacy
- Traffic increase in frequency and speed
- Property values will decrease in the area
- Construction noise and disruption
- Schools are already over capacity
- School children safety
- The proposal does not meet the LUB requirements
- Impact assessment needed on services, environment, fire services, traffic, school system.
- Fencing is needed.

Many of the above noted concerns are addressed in the discussion below. In addition, the applicant provided the attached response to the concerns raised by the public.

RELEVANT POLICY

Section 7.2.2 of the Land Use Bylaw requires that residential developments with over four dwelling units are subject to a development agreement in accordance with Policy RP-9 of the Municipal Planning Strategy (MPS). The following provides the MPS Policies relevant to this issue with staff comments.

Policy RP-9 Medium and High Density by Development Agreement

It shall be the intention of Council to ensure medium and high-density residential development occur in a manner compatible with a low-density residential neighbourhood. Specifically, Council shall require that all residential developments greater than 4 dwelling units per property, be subject to a Development Agreement. In negotiating such an agreement Council shall ensure that:

- a) the structure is located on the lot in such a manner as to limit potential impacts on surrounding low density residential developments;*
- b) the development provides sufficient on-site parking, and appropriate access to, and egress from the street;*
- c) the location of the parking facilities does not dominate the surrounding area, including the utilization of vegetation and fences to mitigate the aesthetic impacts of parking lots;*
- d) any on site outdoor lighting does not negatively impact the surrounding properties;*
- e) any signage on the property is sympathetic to the surrounding residential properties;*
- f) vegetation is used to improve the aesthetic quality of the development;*
- g) the architecture of the building is sympathetic to any existing development in the surrounding area.*

Efforts to limit the impact of the proposed development on the surrounding neighbourhood include articulating the building at its mid-point, which reduces the morning shade that would otherwise be cast on the adjacent dwelling at 153 East Victoria Street. Additionally, along the west side, decks along the front half of the building are recessed into the building rather than protrude out from the main wall. The proposal also includes a hedge or vegetative buffer between the proposed building and 155 East Victoria. Privacy fencing would also be necessary around the property perimeter, at least where adjacent to the parking areas. These measures reduce or mitigate the impact on the adjacent dwelling at 153 East Victoria to some degree.

A total of 71 parking spaces are proposed, with 28 located underground with access onto East Victoria and 43 surface parking spaces with access from South Adelaide. A turn-in is provided along the North Adelaide frontage with direct access to the main entrance and three accessible parking spaces. At a ratio of 1.2 spaces/unit, the number of spaces is three short of the LUB standard of 1.25 spaces/ unit. The main surface parking area is located to the rear and interior of the lot as much as possible, and vegetation is proposed where possible to soften the impact of the parking areas.

Regarding sections 'd & e' above, outdoor lighting and signage is addressed in the draft development agreement.

The overall intent of RP-9 is to ensure that new high density residential development is compatible with a low-density residential neighbourhood. In this regard, staff do not feel the proposed number of units, along with the resulting height, bulk and scale of the building, is compatible with the surrounding residential neighbourhood. It is difficult to conclude that the proposal will not have a significant negative impact on the adjacent dwelling at 153 East Victoria in particular and the

surrounding area in general. For further context, there is approximately 15 feet of separation between the proposed building and 153 East Victoria. Staff identified a similar juxtaposition of a 6-storey building approximately 16 ft from a 2-story dwelling in Moncton, NB, as shown below. There are notable differences between the example below and the current proposal. The 2-storey dwelling in Moncton is setback further from the street than the apartment building, and the proposed building would actually be 7-storeys at the East Victoria frontage given that the parking garage level is at or just above street grade. However, even with these differences considered, staff feel the Moncton example illustrates the lack of separation between the buildings and gives a sense of the potential impact on the smaller building. It is important to note that both buildings in the Moncton example are owned by the same company.



With regard to subsection (g), staff are of the opinion that the proposed building architecture is not ‘sympathetic to existing development in the surrounding area’. As noted in the attached application briefing, built form in the area is characterized as a mixture of 2-3 storey single-family dwellings and converted dwellings with up to eight dwelling units. Other uses include a 2-storey seniors apartment building to the immediate south. Although the cladding of the proposed building does relate to other sandstone buildings for which many Amherst buildings are known, standing at 6-storeys and 25-30 feet from East Victoria, the building will dominate the streetscape and the 2-3 storey residential uses around it. The height and bulk of the building is not compatible with the built form of this neighbourhood that, while near the downtown commercial zone, is definitively residential.

The subject property is located on the first residential block northwest of the downtown core. Within approximately 70m (230 ft) exists Cumberland Manor, a 4-storey seniors apartment building on the same amount of land with ground-floor offices and 30-units on the upper floors. Beyond the obvious size differences, there are two important differences between the proposal and Cumberland Manor. Firstly, the bulk and height of Cumberland Manor is significantly less dominating due to the front yard setback being approximately 25m (82 ft). Secondly, Cumberland Manor is located in the Downtown Commercial Zone, which has a significantly different built form typical of a traditional downtown commercial area. The property at 155 East Victoria Street is not in this zone. If the proposed development was located one block to the west, the difference could be significant.

GP-7 Compatibility

It shall be the intention of Council to allow a mix of compatible land uses to minimize their impacts by:

- (a) requiring adequate buffering and setbacks;*
- (b) screening development by the use of visual barriers; and,*
- (c) regulating the location of parking, storage buildings and other accessory uses or facilities.*

The matters noted in GP-7 are for the most part addressed in the discussion above regarding RP-9. The proposal does meet the minimum yard setback standards in the LUB. The building is setback as much as possible from the South Adelaide – East Victoria intersection, and the main surface parking area is located at the back corner of the lot. Fencing and a vegetative buffer is proposed to mitigate the lost by privacy the proposal. However, the question is whether or not the aforementioned measures reduce the impact on the neighbourhood to a sufficient degree to align with the intent of this policy.

GP-8 Density

It shall be the intention of Council to allow development at a density appropriate to the overall desired character of the town.

The ambiguity of this policy makes it difficult to apply it in an analysis of the proposed development. That being said, there are areas of town, such as the downtown core area district or perhaps the Highway Commercial area of town, where high density built to minimum setbacks is more appropriate than a relatively low-density residential neighbourhood such as the one where 155 East Victoria is located.

RP-8 Housing Mix

It shall be the intention of Council to encourage a mix of housing densities in all residential areas of town to encourage a mix of housing types and income groups in all residential areas.

The proposal would significantly increase the overall housing density in the area.

RP-10 Neighbourhood Stabilization

It shall be the intention of Council to provide for the stabilization of existing residential neighbourhoods by: (b) discouraging the encroachment of non-compatible land uses.

The application is for a multi-unit residential development surrounded by other residential uses. When compared to an industrial use, it could be argued that the existing and proposed use is compatible. Where this policy may be more relevant is the extent to which the proposed development is so intense

as to be non-compatible with its surroundings. These factors have all been addressed to some degree by the applicant, but as outlined above, the number of units and resulting bulk, height and location of the building is arguably not compatible with its surroundings.

RP-11 Affordable Housing

It shall be the intention of Council to encourage and promote the provision of affordable housing units within all residential areas of the Town by: (a) encouraging a mix of housing types and densities;

The proposal would significantly contribute to the ‘mix of housing types and increase the overall density in the area. Currently, the shortage of housing across the spectrum of housing types has had a significant negative impact on housing affordability. Additions of these multi-unit dwellings addresses this shortage and can potentially increase affordability.

RP-12 Residential Area Design

It shall be the intention of Council to ensure that new residential areas:

- a) provide for the efficient use of land;*
- b) provide for the efficient and economic extension of existing water, storm sewer and sanitary sewer systems and other utilities;*
- c) incorporates a hierarchy of streets that efficiently and safely accommodates traffic flows and proper access to other areas of Town;*
- d) provides for the efficient and safe movement of pedestrians and cyclists;*
- e) minimizes adverse effects on the environment;*
- f) provides for parks and other community uses in safe and central locations.*

The proposal is an infill development, which speaks to the efficient use of land that does not require extension of existing town infrastructure. Vehicle and active transportation connectivity is relatively high. The development is within close walking distance to downtown, which reduces vehicle dependency.

MS-4 Service Standards

It shall be the intention of Council to maintain a ‘Development Standards Bylaw’ in order to establish the required servicing standards for development within the town...

Town engineering have indicated that existing service connections can accommodate the proposal. A standard development agreement would require the submission of a storm water drainage plan as part of the development. Principal requirements of the drainage plan will be to not increase runoff onto adjacent properties.

MS-11 In-fill Development

It shall be the intention of Council to encourage and facilitate the development of vacant land located on existing municipal services in order to make more efficient use of such services.

As previously stated, the proposal satisfies the above policy.

R-21 High Density Open Space

It shall be the intention of Council to require multiple unit residential properties to provide usable open space for use of residents on the site.

Beyond the provision of individual balconies for each unit, the proposal provides limited usable open space at ground level.

A-5: Amendment Criteria

It shall be the intention of Council, when considering [...] entering into a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:

- (a) That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.*
- (b) That the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Town to absorb any costs relating to the development;*
 - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;*
 - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;**
- (c) That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;*
 - (ii) height, bulk and lot coverage of any proposed building;*
 - (iii) parking, traffic generation, access to and egress from the site;*
 - (iv) any other matter of planning concern outlined in this strategy.**

With regard to subsection (a), this report attempts to address all relevant policies of the MPS and other town Bylaws and regulations. Readers are reminded that although the Land Use Bylaw contains specific requirements with respect to development, the terms and conditions within a development agreement supersedes those LUB requirements. Regarding other town bylaws and regulations, the proposal would be in compliance where relevant.

In terms of subsection (b), there would be no significant burden on the town's finances. The street network and town water, sanitary and storm sewer services can accommodate the development. Given that there is currently no sidewalk along South Adelaide, it may be prudent in the future to install sidewalk that provides a pedestrian connection between East Victoria and Prince Arthur Streets.

With regard to subsection (c), parking and traffic generation is split between the underground and surface parking access points that spreads the traffic over separate street frontages. While there is expected to be an increase in traffic along South Adelaide, a significant share of trip generation will access East Victoria, which is an arterial street. Staff feel that street network can accommodate the increase in traffic. In consideration of the extent to which the proposal might conflict with any adjacent or nearby land uses by reason of its type of use, height, bulk and lot coverage, as discussed above in the RP-9 section of this report, these are factors with potential negative impacts that cannot be sufficiently mitigated with the current proposal.

DISCUSSION and CONCLUSION: There are many significant aspects of the proposal that could have a positive impact on the town. Amherst very much needs more residential development within close walking distance of the downtown core area to support downtown amenities and increase its vibrancy. More people living in and near downtowns results in increase activity during, but also outside, regular business hours. More activity in a downtown area often attracts even more people to spend their leisure time in the area, which further supports the case for other commercial and residential investment in this area.

Other positive elements include approximately 43 barrier-free units, electric vehicle charging stations, and building energy efficiencies that exceed Building Code standards. This development would cater to those looking for a living option with a relatively low carbon footprint that supports lower dependence on a personal vehicle.

Unfortunately, while this development might be suitable in the downtown core where the scale, lack of separation and overall built form is appropriate, the property on which it is proposed is outside the downtown in the General Residential Zone. The proposal does not fit in with the established character of the neighbourhood and is likely to have a significant negative impact on adjacent properties and the broader neighbourhood. As such, despite measures to mitigate the potential impacts, staff feel the proposed development is not in keeping with the general intent of key policies within the town's Municipal Planning Strategy.

At various points in the application process, staff have expressed their concerns with the scale of the development to the applicant. Following the public participation opportunity, staff provided the applicant an opportunity to make changes to the proposal. At that time there was an unwillingness to reduce the number of units being proposed.

OPTIONS:

Option One: Recommend that Council not enter into the Development Agreement for 155 East Victoria Street.

Option Two: Recommend that Council enter into the Development Agreement for 155 East Victoria Street, subject to any changes that may arise.

Option Three: Defer a recommendation to Council and request additional information from staff or the applicant.

STAFF RECOMMENDATION: Option One.

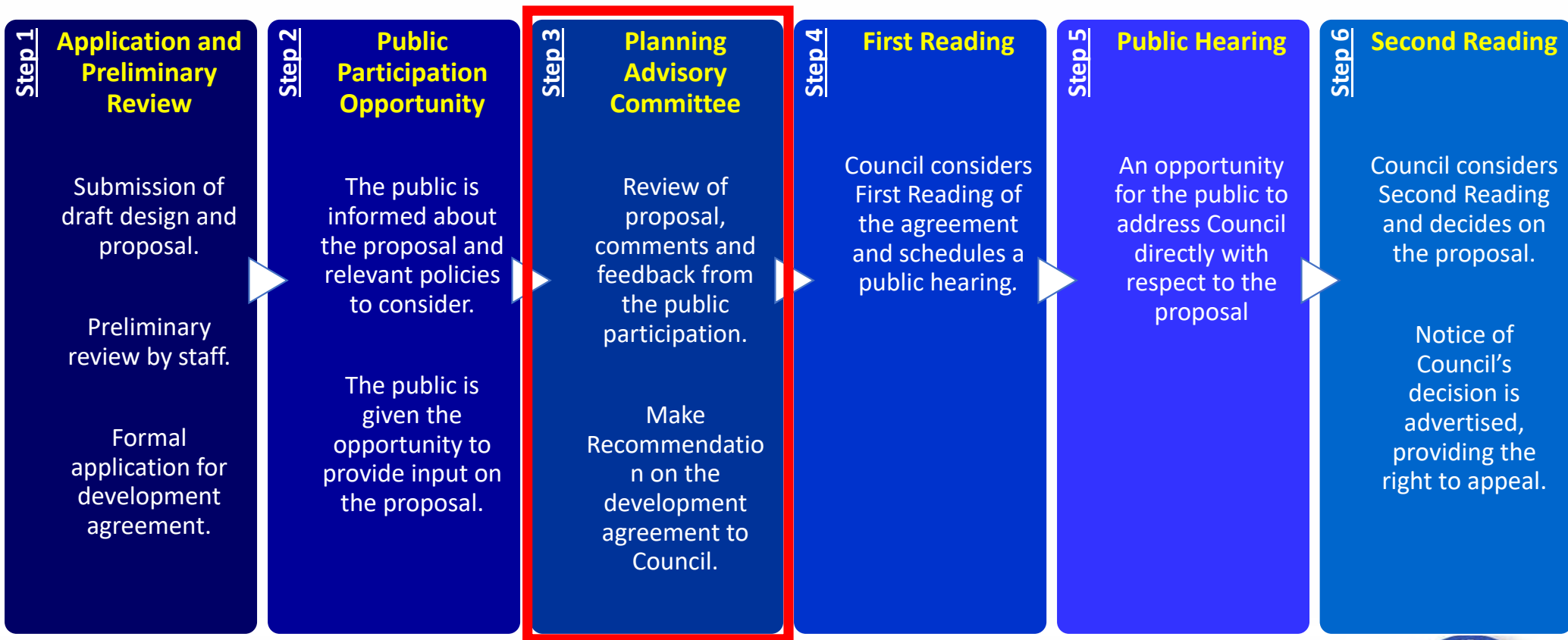
Public Participation Opportunity

**Development Agreement Application to Permit a 59-Unit Apartment
Building on 155 East Victoria Street**

February 6, 2023



DEVELOPMENT AGREEMENT PROCESS



*All meetings of the PAC and Council are open to the public.

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APPLICATION DETAILS

Applicant: Leslie Carrie

Owner: 3227967 Nova Scotia Limited

Summary of Proposal: A 59-unit, 6-level Apartment Building

Location: 155 Victoria Street (Lot 2005-1A, PID 25034091).

Property Size: 3587 m² (0.9 acres).

Street Frontage: 35m on Victoria Street, 73m on South Adelaide Street.

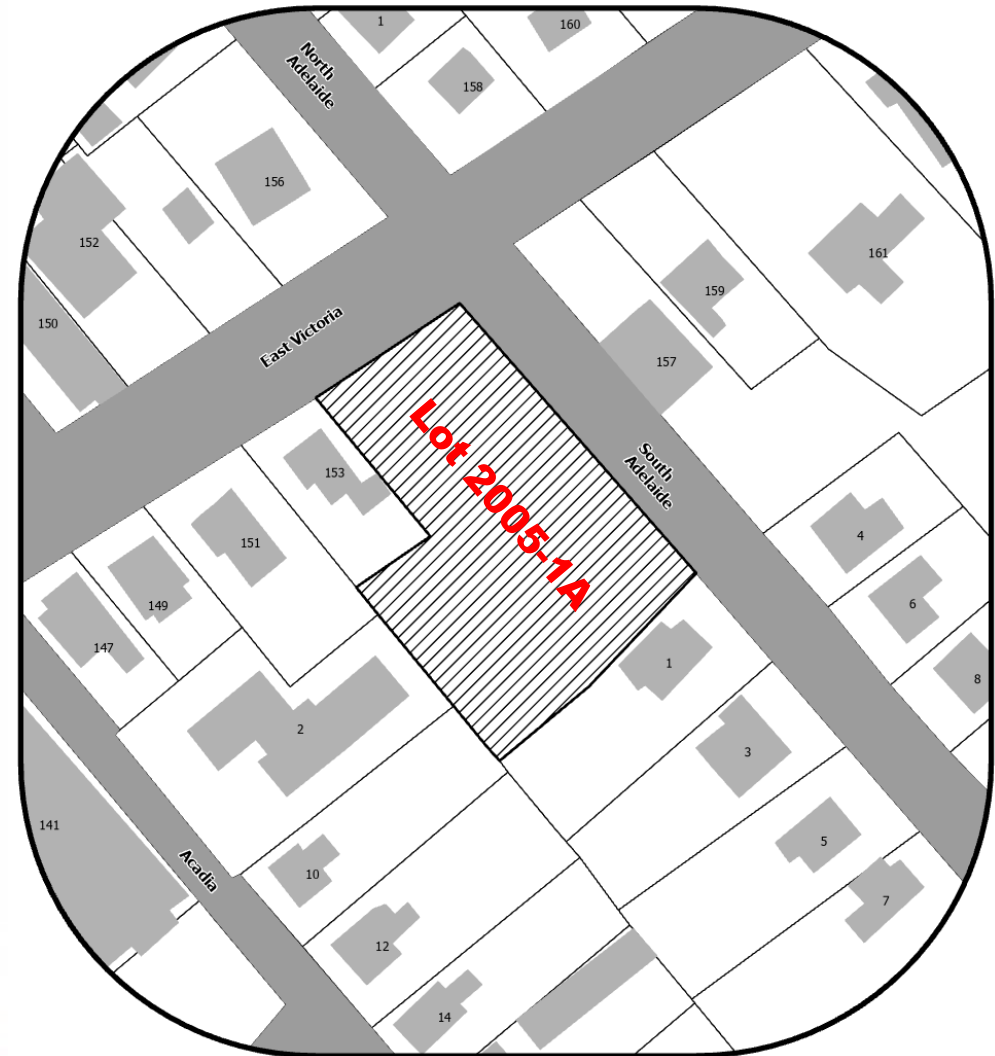
Existing Land Use: Vacant

Existing Zoning: General Residential



The Amherst Land Use Bylaw and Municipal Planning Strategy require a development agreement for any proposed residential use for more than four dwelling units.

An apartment building means a building or part thereof, consisting of three or more dwelling units, excluding town houses (Land Use ByLaw, Town of Amherst).



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NEIGHBOURHOOD CONTEXT

- ❑ The **subject property** is a corner lot bounded by South Adelaide and Victoria East Street.
- ❑ Immediately surrounded by 1-3 storey single-detached and multi-unit converted dwellings.
- ❑ 2-storey seniors apartment building (Shiretown Manor) is located directly south of the property. A extended stay motel and a 4-storey senior's residence is located approximately 70m away.
- ❑ The subject property exists on the first residential block adjacent to the downtown core. Moving further northeast the neighborhood consists of several historically significant residential properties
- ❑ The downtown core area with a variety commercial uses and services is within a very short walking distance.



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SITE PLAN

General Description: 4-storey, 59-unit apartment building

Units: 14 one-bedroom units, 45 two-bedroom units
34 barrier free Units

Ground Floor Common Area: 934 sqft

Building Footprint: 1,094m² (11,771 sqft)

Property Area: 3,587m² (0.9 acre)

Density: 59 units/acre

Parking: 71 spaces (43 surface/28 underground)
(1.2 spaces/unit). 9 EV chargers & Bike Storage

Access: East Victoria Street & South Adelaide Street.

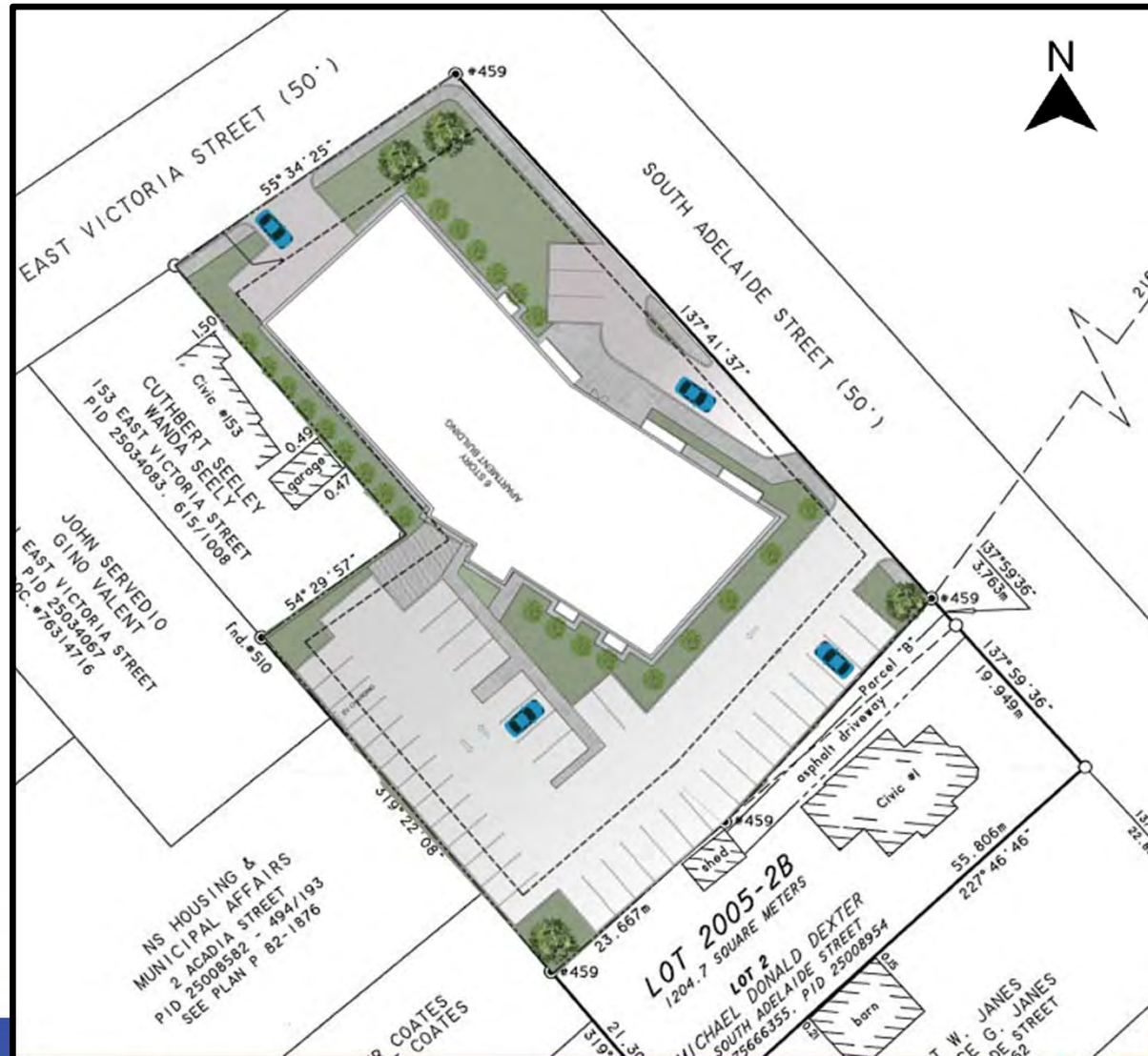
Building Lot Coverage: 30 %

Green Space: 17%

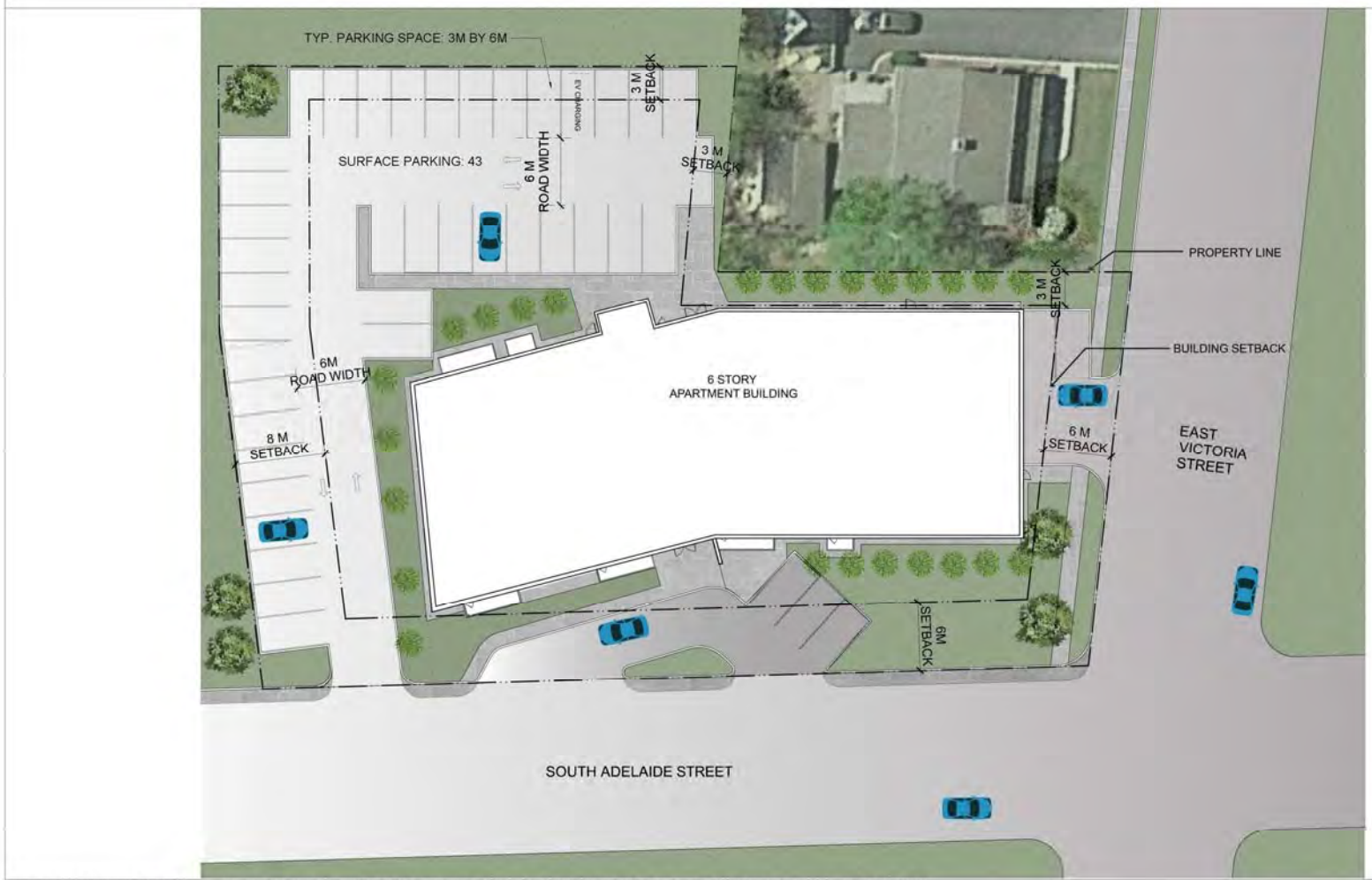
Building Setbacks (approximate):

Front Yard (Victoria): 7m (23 ft) at the closest point
Flank Yard (S. Adelaide): 6m (20ft) at the closest point
Side Yard: 3m (10ft)
Rear Yard: 16m (52ft)

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SITE PLAN



*PRELIMINARY NOT FOR CONSTRUCTION, PERMIT, OR REGULATORY APPROVAL. RENDERING IS REPRESENTATIVE OF DESIGN INTENT ONLY. IT IS NOT A PHOTO-REALISTIC REPRESENTATION OF ACTUAL MATERIALS PROPOSED AND SHOULD BE CONSIDERED PRELIMINARY AT ALL STAGES.
**ALL BUILDING AREAS ARE APPROXIMATE UNITS, BUILDING FOOTPRINT / ENTRY DESIGN ARE FINALIZED.

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BUILDING PERSPECTIVES



Proposed building view from the intersection between on South Adelaide and East Victoria Street

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Proposed building view from South Adelaide Street



BUILDING PERSPECTIVES



Building view from East Victoria Street



Building view looking north from back corner



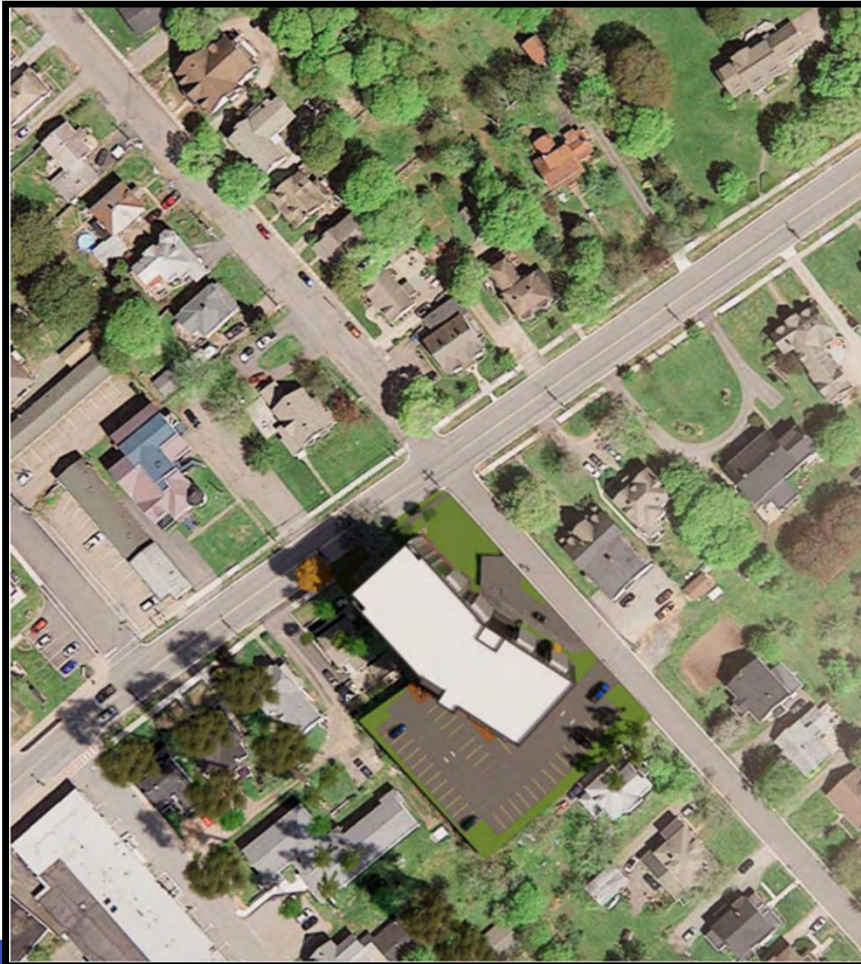
Main Entry off South Adelaide Street

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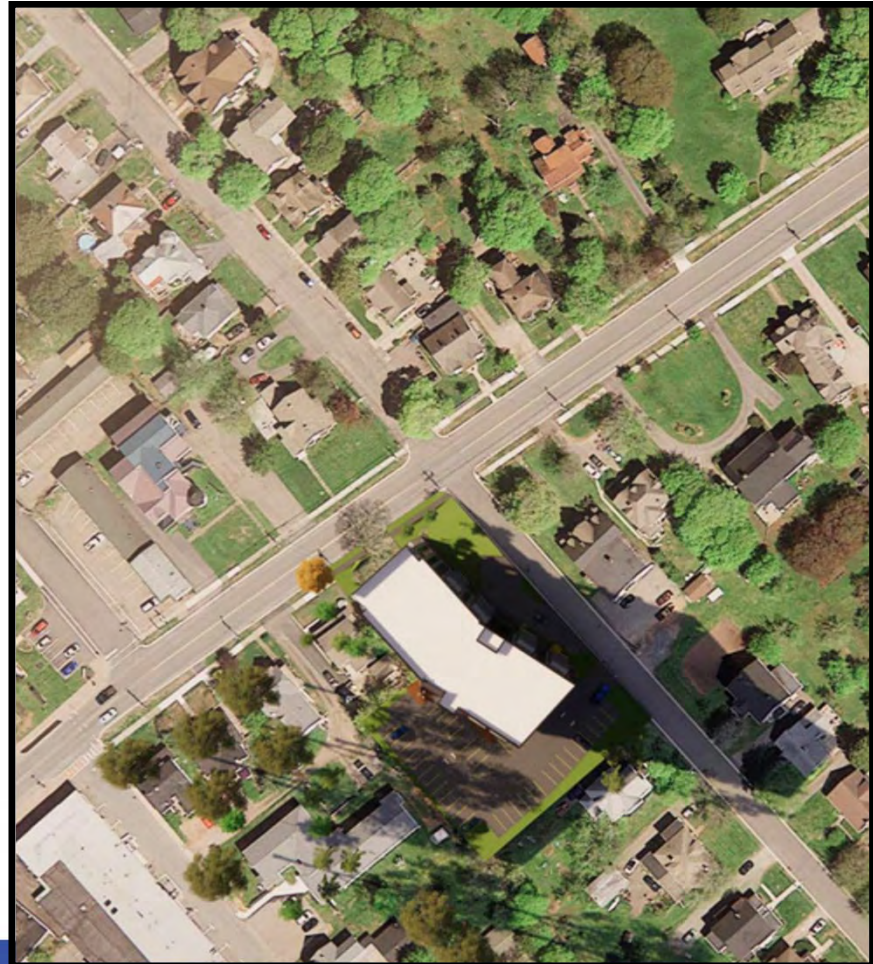


Shade Analysis - Summer Solstice

10 AM



4PM



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Shade Analysis – Winter Solstice

10 AM



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4PM



RELEVANT PLANNING BYLAWS AND POLICIES

1. Permitted Uses by Development Agreement (Land Use Bylaw Section 7.2.2)

In a Residential Zone, an application for the following uses shall be considered by development agreement in accordance with the applicable Municipal Planning Strategy (MPS) Policy:

- (e) Apartment buildings greater than 4 units in accordance with Policy RP-9 of the MPS.

2. Residential Policy on Medium and High Density by Development Agreement (Municipal Planning Strategy, RP-9)

It shall be the intention of Council to ensure medium and high density residential development occur in a manner compatible with a low density residential neighborhood. Specifically, Council shall require that all residential developments greater than 4 dwelling units per property, be subject to a Development Agreement.

In negotiating such an agreement Council shall ensure that:

- (a) ensure that the structure(s) is located on the lot in such a manner as to limit potential impacts on surrounding low density residential developments;
- (b) ensure that the development provides sufficient on-site parking, and appropriate access to, and egress from the street;
- (c) ensure that the location of parking facilities does not dominate the surrounding area, including the utilization of vegetation and fences to mitigate the aesthetic impacts of parking lots;
- (d) ensure that any on site outdoor lighting does not negatively impact the surrounding properties;
- (e) ensure that any signage on the property is sympathetic to the surrounding residential properties;
- (f) require the use of vegetation to improve the aesthetic quality of the development;
- (g) ensure that the architecture of the building is sympathetic to any existing development in the surrounding area.

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RELEVANT PLANNING BYLAWS AND POLICIES

3. Implementation Policy on Amendment Criteria (Municipal Planning Strategy, A-5)

It shall be the intention of Council, when [...] entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:

- (a) That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.
- (b) That the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Town to absorb any costs relating to the development;
 - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;
 - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;
- (c) That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) parking, traffic generation, access to and egress from the site;
 - (iv) any other matter of planning concern outlined in this strategy.



RELEVANT PLANNING BYLAWS AND POLICIES

4. General Land Use Policies on Compatibility (Municipal Planning Strategy, GP-7)

It shall be the intention of Council to allow a mix of compatible land uses and to minimize their impacts by:

- (a) requiring adequate buffering and setbacks;
- (b) screening development by the use of visual barriers;
- (c) regulating the location of parking, storage buildings or other accessory uses or facilities.

5. General Land Use Policies on Density (Municipal Planning Strategy, GP-8)

It shall be the intention of Council to allow development at a density appropriate to the overall desired character of the town.

6. Residential Policy on Housing Mix (Municipal Planning Strategy, RP-8)

It shall be the intention of Council to encourage a mix of housing densities in all residential areas of town to encourage a mix of housing types and income groups in all residential areas.

7. Residential Policy on Affordable Housing (Municipal Planning Strategy, RP-11)

It shall be the intention of Council to encourage and promote the provision of affordable housing units within all residential area of town by: (a) encouraging a mix of housing types and densities.

8. Municipal Service Policies on In-fill Development (Municipal Planning Strategy, MS-11)

It shall be the intention of Council to encourage and facilitate the development of vacant land located on existing municipal services in order to make more efficient use of such services.

#seewhyweloveit



THANK YOU FOR YOUR ATTENTION

#seewhyweloveit



This Agreement made this _____ Day of _____ 2023.

Between:

3227967 NOVA SCOTIA LIMITED (owner of property located at 155 Victoria Street, Amherst [PID 25034091], hereinafter called the "Owner"),

of the one part, and

The Town of Amherst (a body corporate in the Province of Nova Scotia, hereinafter called the "Town"),

of the other part.

WHEREAS the Owner wishes to obtain permission pursuant to Policy RP-9 of the Municipal Planning Strategy of the Town of Amherst, to construct a 59-unit, 6-level apartment building at 155 Victoria Street, Amherst (PID 25034091).

AND WHEREAS a condition of the granting of approval of Council is that the Owner enter into an Agreement with the Town;

AND WHEREAS the Council of the Town, at its meeting on the ____th Day of _____ 2023, approved the said Development Agreement, subject to the registered Owner of the Lands described herein entering into this Agreement;

AND WHEREAS the following Schedules shall be attached to and form part of this Agreement:

- (a) Schedule 'A' - Terms and Conditions
- (b) Schedule 'B' - Property Location Map
- (c) Schedule 'C' – Site Plan
- (d) Schedule 'D' – Floor and Roof Plan
- (e) Schedule 'E' – Building Elevation
- (f) Schedule 'F' – Building Image

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Town of the Development Agreement requested by the Owner, the Owner agrees as follows:

- 1) That the Owner is the registered owner of the aforesaid Landss in the Town of Amherst, hereinafter called the "Landss". The aforesaid Landss is the only Landss in the Town of Amherst to which this Agreement applies, and the Lands is illustrated in the plan shown on Schedule B attached.
- 2) That the Owner may construct a maximum of a 59-unit, 6-level apartment building on the said Landss, subject to Schedules A, B, C, D, E and F attached.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property

(other than the Lands Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.

- 4) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 7) The Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the Lands which is the subject of this Agreement until such time as it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

SIGNED, SEALED AND DELIVERED

In the presence of

THE TOWN OF AMHERST

David Kogon MD, Mayor

Jason MacDonald, MCIP, LPP, CAO

FOR THE OWNER

Leslie Carrie

Schedule A

155 Victoria Street Amherst

Terms and Conditions:

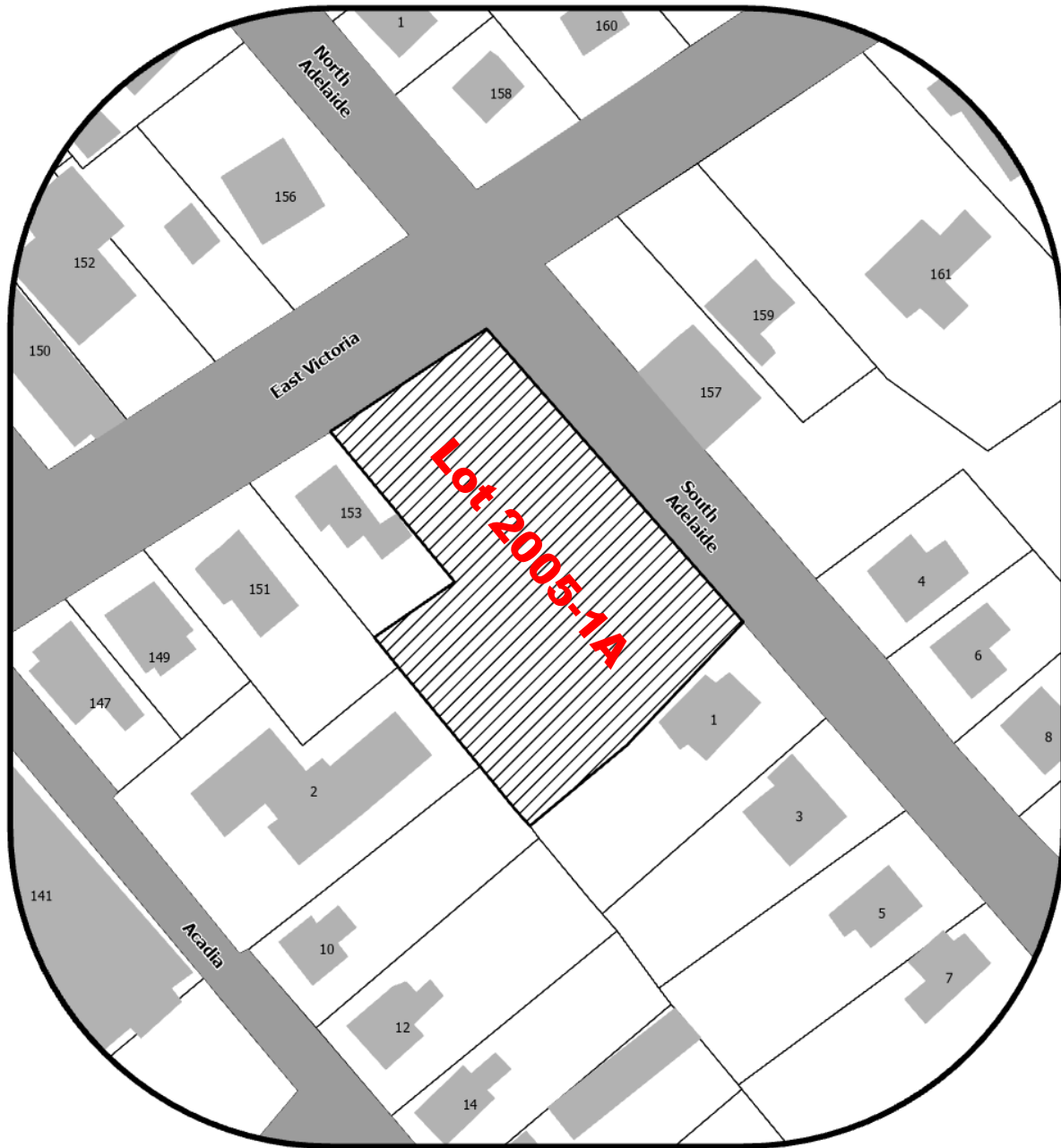
1.0 USE OF LANDS AND BUILDINGS

- 1.1 The use of the properties shall be limited to residential uses within a maximum of a 59-unit, 6-level apartment building in the general location as shown on Schedule 'C'.
- 1.2 A minimum of 71 parking spaces shall be provided on the Lands and shall be generally configured as shown on Schedule 'C' and 'D'.
- 1.4 Accessory buildings may be permitted on the Lands in accordance with the *Town of Amherst Lands Use Bylaw* and shall not be considered a substantial change to this agreement.
- 1.5 The building shall generally conform to the designs shown on Schedule 'D', 'E' and 'F'. Variations to the architectural details and footprint of the dwellings may be permitted, to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 1.6 The Owner shall be responsible for Landscaping unpaved areas and maintenance on the Lands.
- 1.7 The Owner shall install an opaque privacy fence approximately two metres (2 m) in height along all property lines not fronting on a street.
- 1.8 The Owner shall be responsible for maintaining screened solid waste containment areas, generally in the locations shown on Schedule 'C'.
- 1.9 Paving of the driveways and parking areas shall be completed for the facility within six (6) months from the date an Occupancy Permit is issued.
- 1.10 The Owner shall provide an engineered stormwater management plans that applies to both the construction and operating periods, that maintains or reduces but shall not increase surface water runoff onto adjacent private properties.

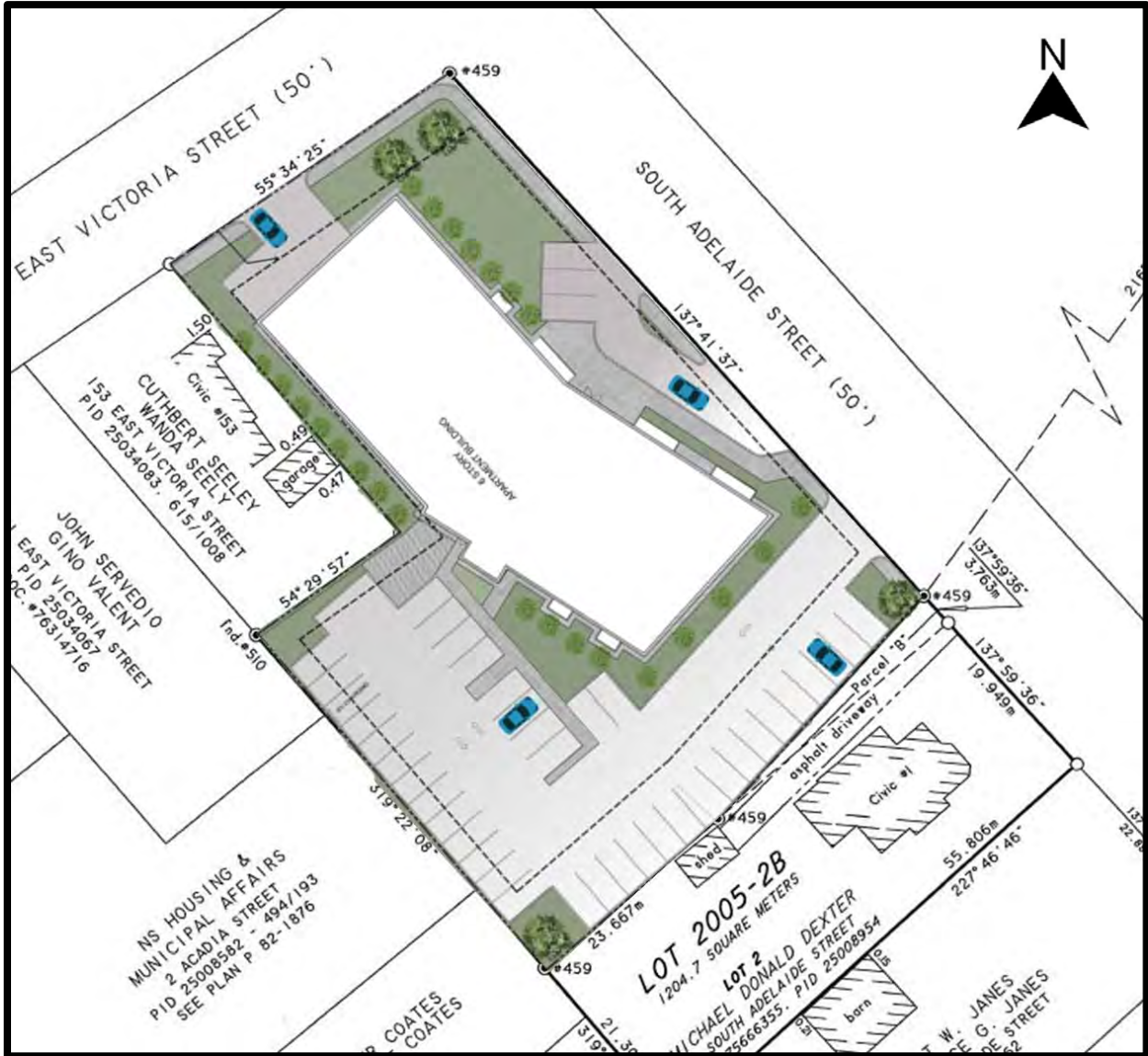
2.0 GENERAL REQUIREMENTS

- 2.1 The Owner shall keep the Lands and building and any portion thereof clean and in good repair. All elements of the development on the Lands shall be regularly maintained and kept in a tidy state, and free from unkept materials of any kind.
- 2.2 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties.
- 2.3 Solid waste management shall be in conformance with the Town of Amherst *Solid Waste Bylaw*.
- 2.4 The Owner shall be responsible for storm water management during and after construction.
- 2.5 The Owner shall take all reasonable steps to maintain a clean worksite during construction by picking up building material waste.

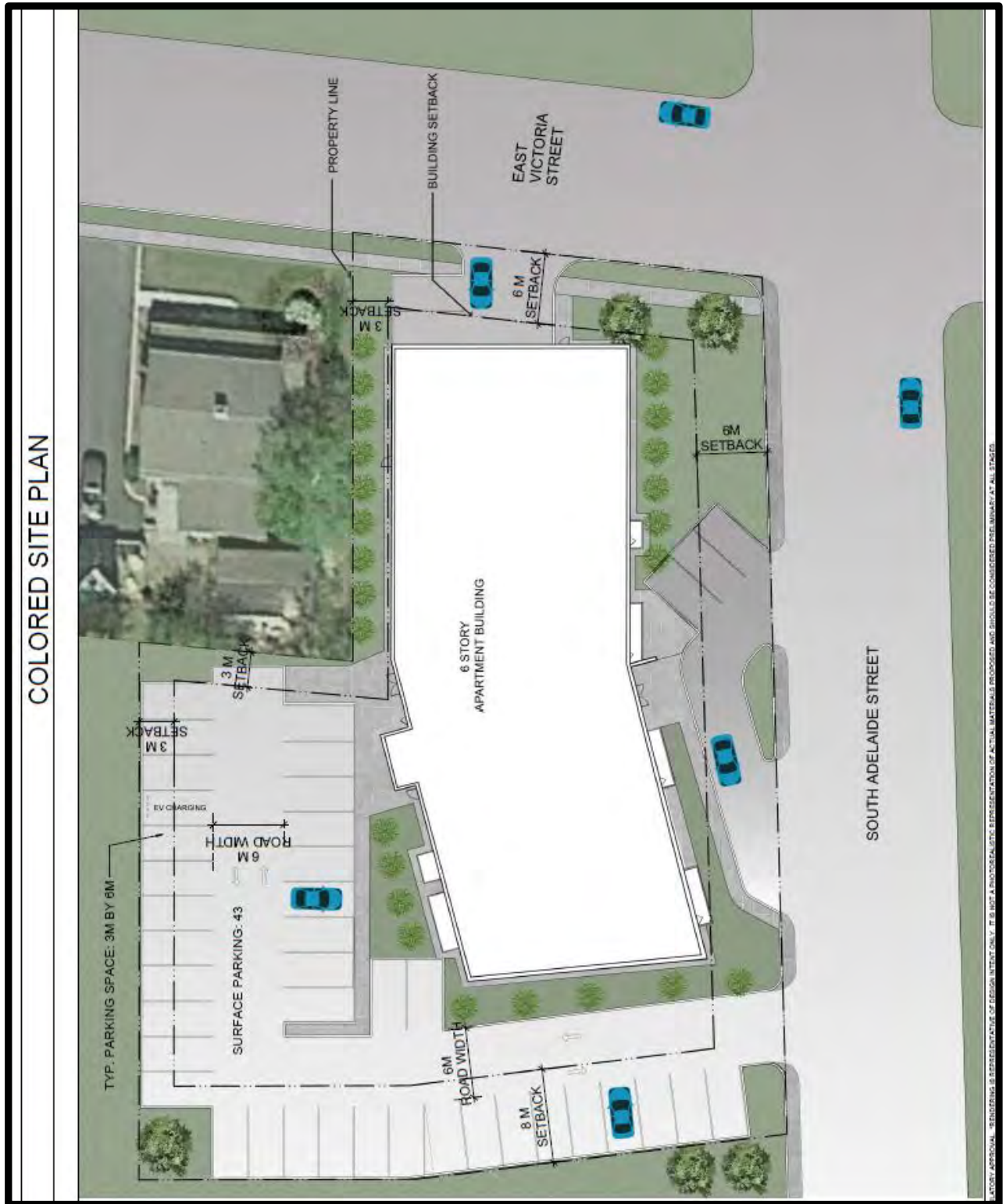
SCHEDULE 'B'



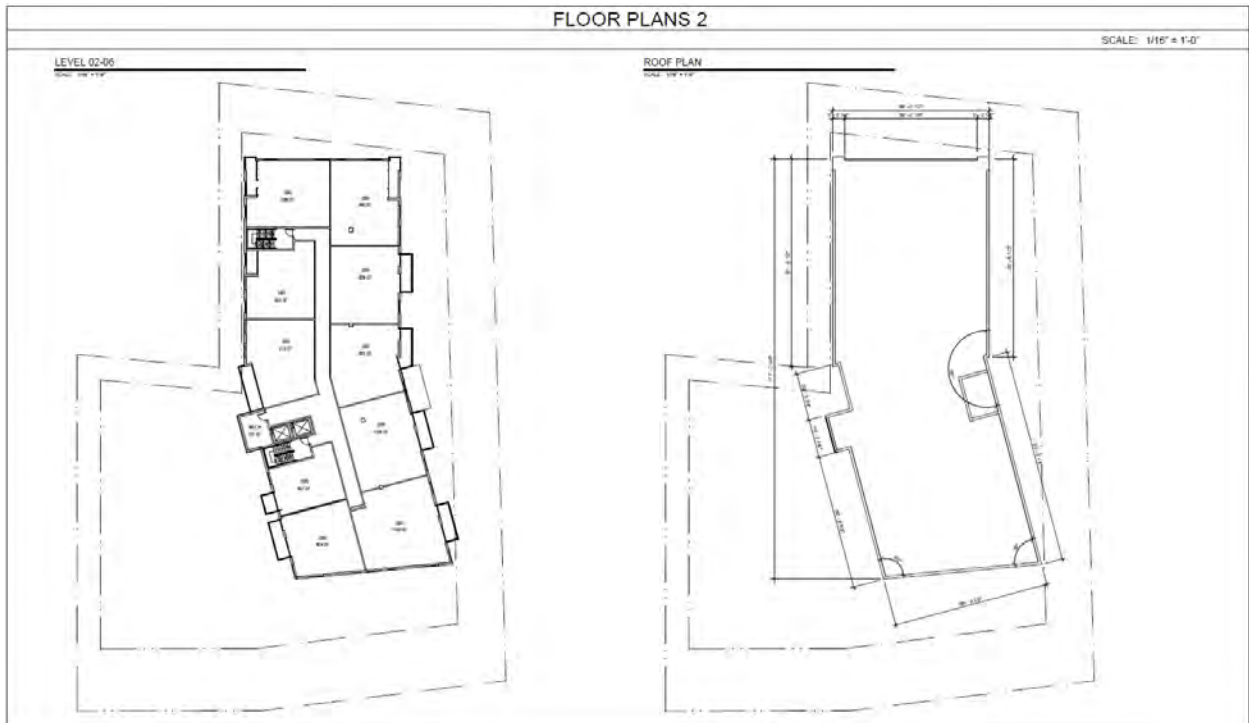
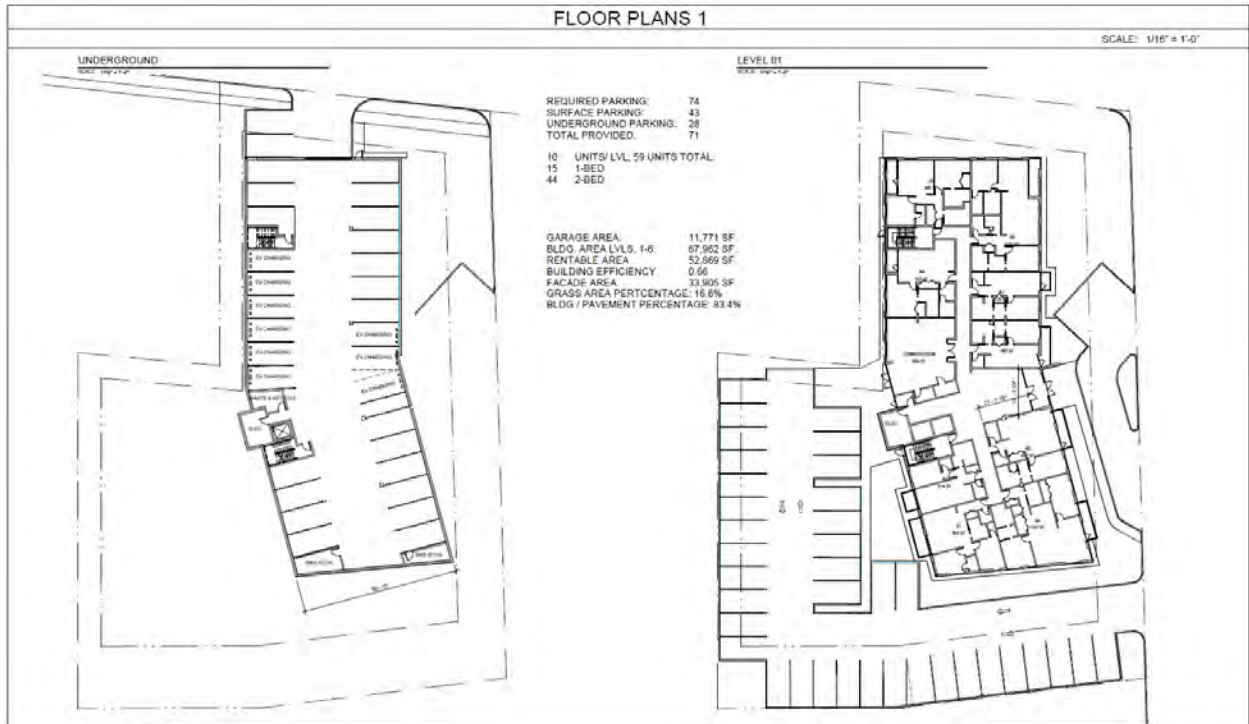
SCHEDULE 'C'



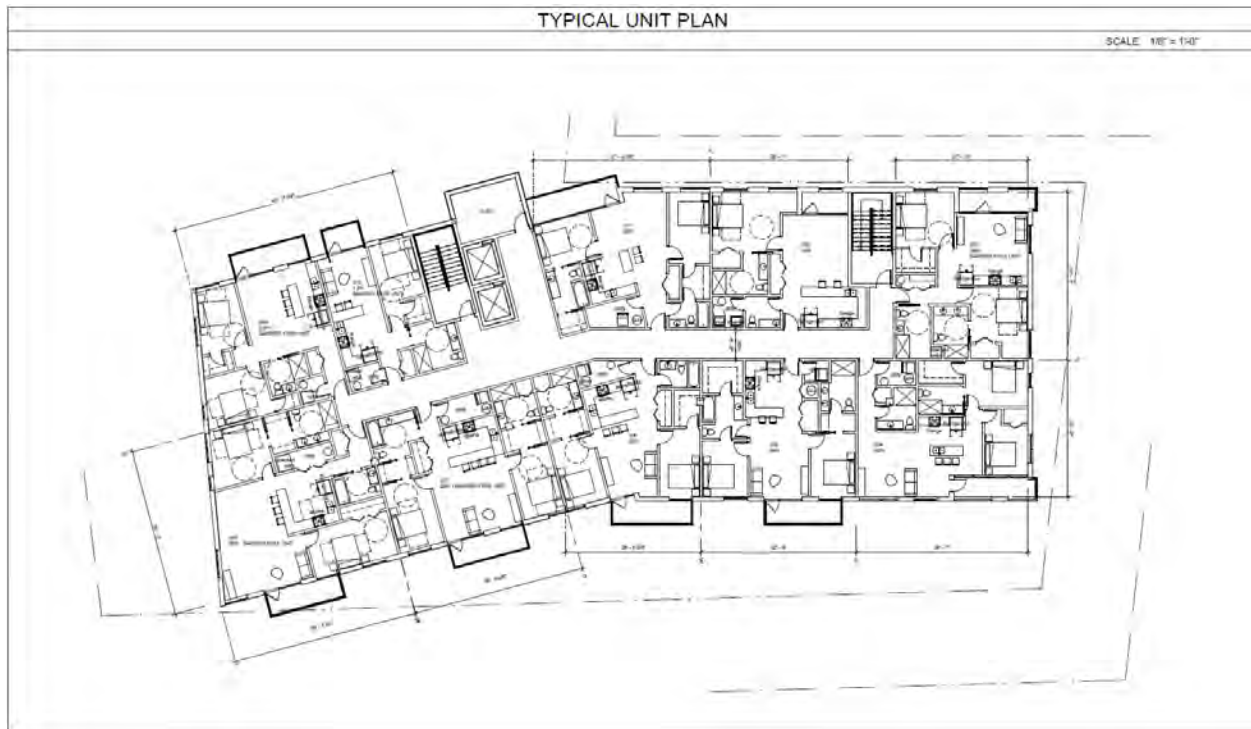
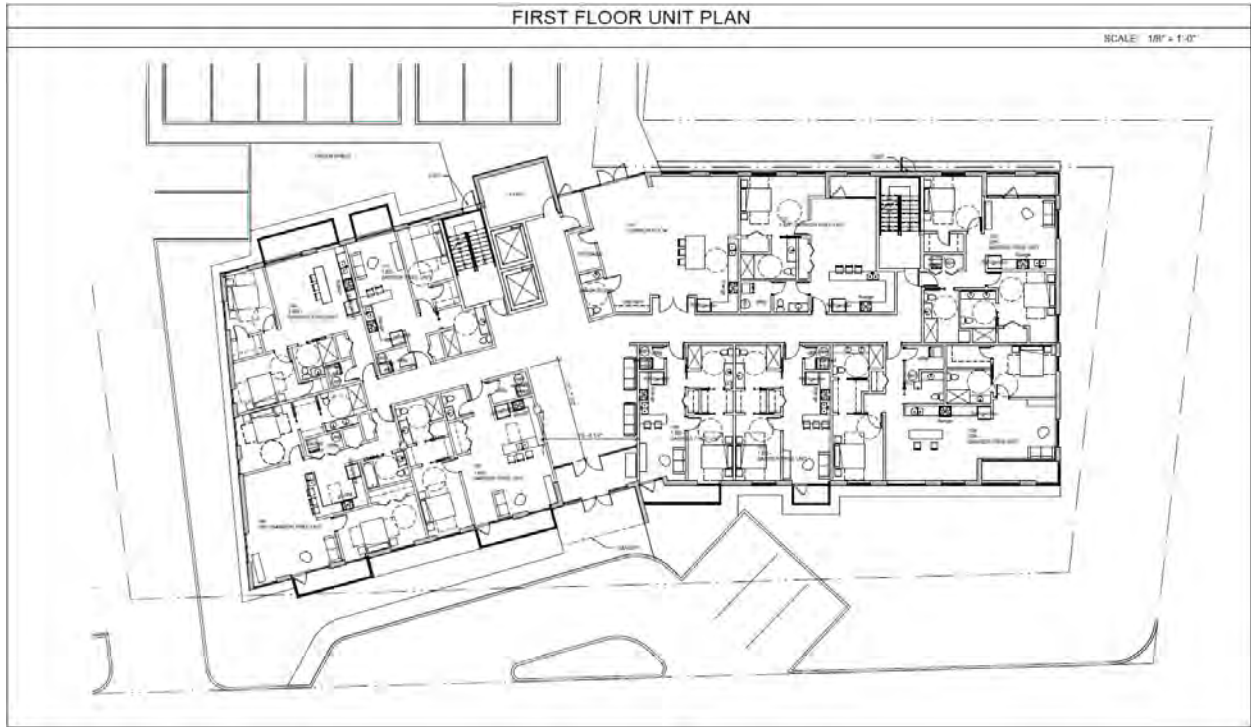
SCHEDULE 'C'



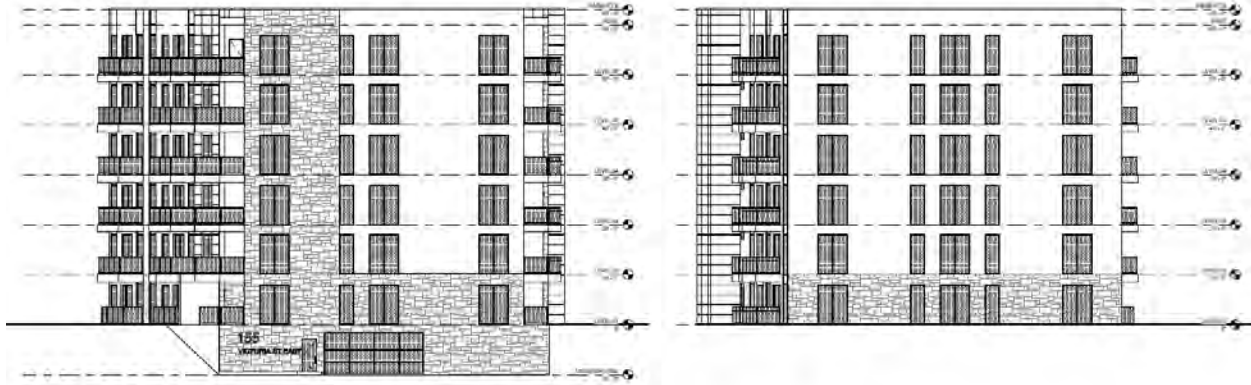
SCHEDULE 'D'



SCHEDULE 'D'



SCHEDULE 'E'



NORTH
SCALE: 1/8" = 1'-0"

SOUTH
SCALE: 1/8" = 1'-0"



EAST
SCALE: 1/8" = 1'-0"



WEST
SCALE: 1/8" = 1'-0"

SCHEDULE 'F'



SCHEDULE 'F'



SCHEDULE 'F'



155 East Victoria

5 Development Goals:

1. Add 59 Urban Style Apartments in Downtown Amherst
2. Build an Energy Efficient Structure that exceeds National Building Code Standards by 40%
3. Provide newcomers looking for work and locals Affordable, Accessible, “Age in Place” Housing that can attract residents to Amherst who want “carefree living” next to the downtown amenities.
4. Increase the number of households/people living within walking of the Downtown Area.
5. Encourage Revitalization of Downtown Amherst

Revitalization of the Downtown depends on attracting new residents living within walking distance of all the Shops, Offices, Banks, Churches, Restaurants, Library, Curling Rink and other Amenities.

Sustainable Revitalization of Downtown Amherst “Making Main Street“ has been a goal since buying this property in 2009.

I was a presenter at the 2009 Annual Spring Conference of the Nova Scotia Planning Directors Association.

The Presentation was about the role of planners in the economic development of downtown areas. Key components were how to create walkable street scapes and encourage new public investment in Urban Housing.

The streetscape has been done. Now we need to add housing.

Downtown Amherst, despite the Towns efforts, has been and is in decline. The only way to reverse this trend is to develop Quality Urban Style Multiple Unit Housing within walkable distance of existing amenities.

Responses to Concerns expressed at the Public Partition Opportunity

1. Heavy traffic - our understanding is that the bulk of traffic generated by this development will be on East Victoria. Planning indicated that there is adequate capacity.
2. Safety - Sidewalks will be installed along South Adelaide to East Victoria.
3. Parking - Traffic control is incorporated onsite, including a drop-off lane at the front entry with 3 short term parking spots and lots of off-street visitor parking.
4. Adequate Municipal Services - The property was serviced to East Victoria when the Sewer and Water lines on East Victoria were upgraded.

5. Brook? - There is no information regarding a brook; however, when the Civil Engineering is done, this will be addressed if required. The parking garage floor is above the grade on East Victoria. There has been no current evidence of site run-off drainage for over the last 13 years. Site drainage will be addressed by the engineers.

6. Shadow Study - A more detailed Solstice Shadow Study has been submitted that shows the travel of the shadow at 8 am, 10 am, 12noon, 2pm, and 4 pm to estimate the period of time any property would be shadowed, as the sun travels east to west along the southern end of the property. Trees in the backyard of 153 East Victoria cause more shade than this building will. Shadows do not place properties in darkness. All things cast shadows that move in sequence with the sun and that is normal natural recurrence.

7. Architecture Compatibility - The presence of a building with newer architecture will not take away from other properties. This building will define the transition to downtown and provide a contrast to the existing Heritage Properties along East Victoria. This occurs in many cities, such as Fredericton, Moncton, Halifax and bigger cities like Montreal. These places are examples of how New Urban Apartment Housing that is blended in, brought new vitality to declining neighbourhoods.

There are already existing older non-heritage buildings mixed in down the street, that are not homogeneous in the existing streetscape.

8. More People - This project brings 59 households to the Downtown. Walking traffic will stimulate and support local businesses.

Growth in a community always increases the neighbourhood appeal and property values.

9. Ownership - The Developer has owned this property since 2009 and intends this to be a long term family based ownership.

10. Fire Protection Equipment - It is our understanding that the Town of Amherst just purchased a ladder truck that can reach a height of 6 storeys. The Town Council reasoning at the time of purchase was forward thinking, in anticipation of taller buildings.

11. Old Oak Tree - Landscape Planning will try to save the old oak tree along East Victoria, as we appreciate the value and time required to grow mature trees.

12. Load Bearing Capacity of Land - A Soils Engineering Report is required by lenders and will be prepared before the foundation is excavated.

13. Impact on Neighbouring Properties - The proposed building has been sighted to have the least possible impact on neighbours. The lot orientation is south at the end opposite from East Victoria. The neighbour on the west side of the building will have full sun in their backyard most of the day. The setback on the western side of the property is within Town of Amherst Land Use Bylaws, Bylaw P-2.

14. Privacy - Balconies along the west side of the building are inset to provide as much privacy as possible. Fences, hedges and trees will be used to mitigate any aesthetic impacts.

15. Water Run-off on adjacent properties - Surface Water will be managed on-site including catch basins in the parking lot.

16. Outdoor Lighting - All lighting for parking areas and walks will be directed away from adjoining properties and any adjacent street as required by the planning bylaws.

17. Insurance - Builders All-Risk Insurance will cover any possible events during construction of this project.

Building Features:

This building will be the Most Energy Efficient Apartment Building in Amherst.

Elements include the Use of Solar Energy and Insulated Wall Panel construction that will exceed National Building Code Standards by more than 40%.

The concrete shell will provide a clean, easily maintained structure that will maintain indoor temperatures which will be economical to heat and cool.

Integrated Heat pumps will provide both heating and cooling to each unit (No Pump Condensers on the balconies).

The building will be professionally landscaped with green space, trees and hedges.

Curb appeal will be meticulously maintained to make this a home anyone would be proud of.

Floor Plans are a mix of 1 and 2 bedroom apartment suites.

The prospective tenants for this "fully accessible" property will be seniors who wish to retire in Amherst to "Age In Place" with the convenience of a modern home . Also, new people coming to Amherst for work who want housing similar to apartments where they came from. We have a letter from a previous resident of Amherst, who had to leave Amherst to find suitable "independent accessible" housing.

There will be a number of 1 bedroom units that meet CMHC Affordability Guidelines.

The finish and quality of the apartments and building will set a high standard.

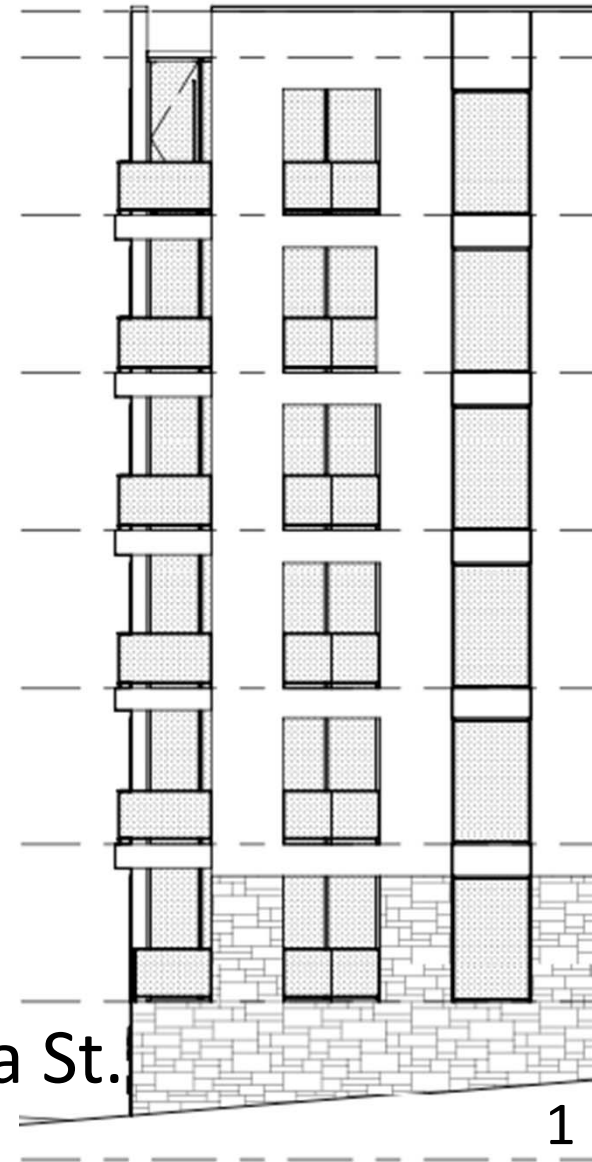
- The Foyer Entrance has a secure electronic lock system and resident call board to gain entry.
- Two elevators service the building.
- There is an accessible ground floor Community Room for the Residents to gather.
- There is an Indoor Waste Management Room in the Garage (no outside waste storage).
- There are 31 Garage Bays, some with Electric Vehicle Charging Stations.

This convenient Downtown location will draw residents to this wonderful, safe, neighbourhood to live close to major amenities and services.

Amherst needs to provide a wider range and selection of housing. This site is a "walkable" location that can bring active residents to downtown streets, to help reverse the Main Street decline and Revitalize Downtown.

WELCOME
To

155 East Victoria St.



1

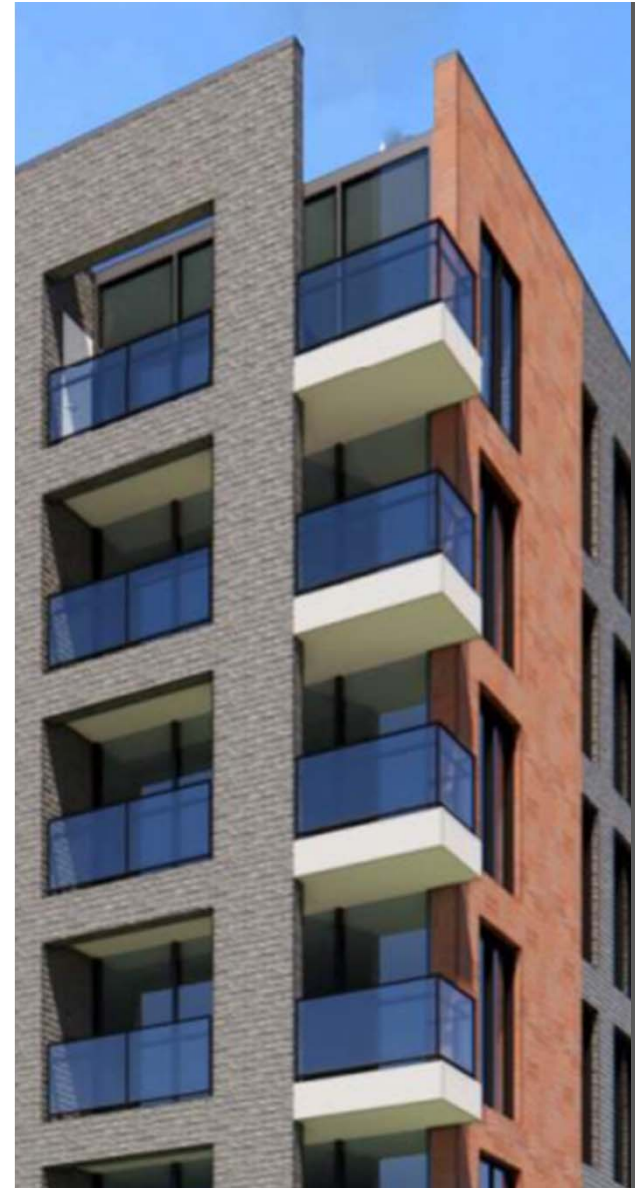
The Team

- Les Carrie, Developer & Owner
- Doug Blackmore, Owner
- Bruce Walck, Architect
Powers Brown Architects
- Brian Farrow, General
Maritech Construction Inc.
Amherst
- Casey Concrete, Amherst
Concrete Products



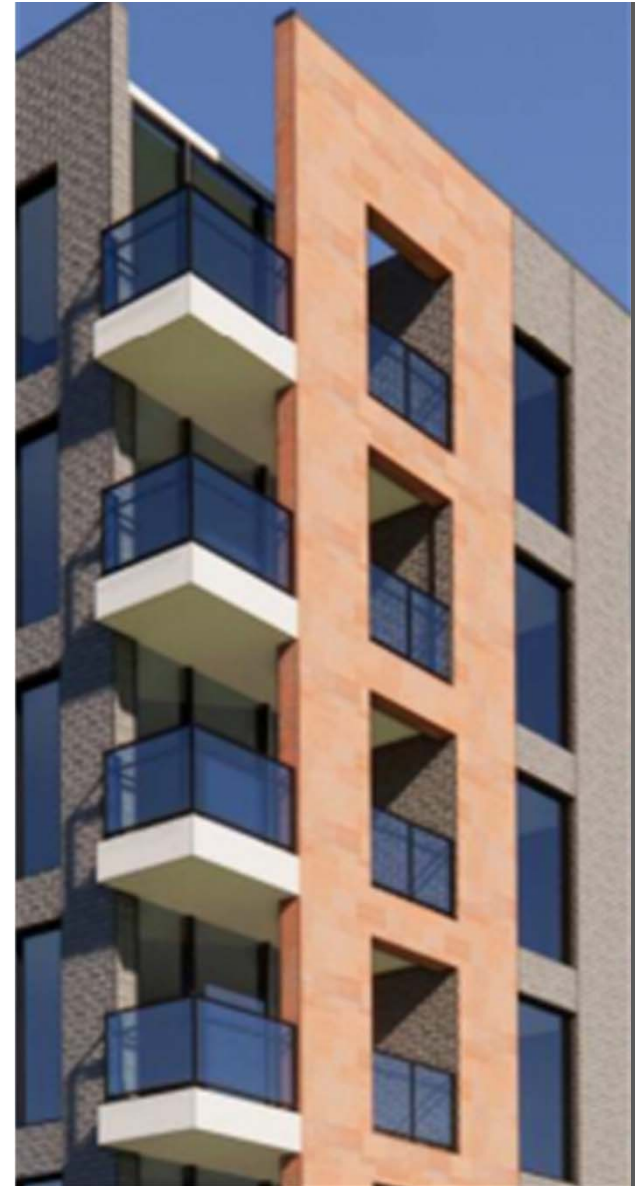
Growth In Amherst

- Amherst Housing Crisis
- 86% of Towns Residents are Renters (Stats Can. 2021)
- Lack of modern rental apartments
- Need modern urban apartments
- RP-9 Medium to High Density by Development Agreement.
- Amherst Municipal Planning Strategy / develop areas with existing Services



Collaborative Partnerships

- National Housing Strategy
- Rental Construction Initiative
- Energy Grant
- Solar Program



3.5

South Adelaide side and the Secure Lobby Entry



East Victoria Front Corner with garage driveway and Drop-off at Lobby



View approaching from Downtown



Site Plan with Parking



Floor Plans

UNDERGROUND



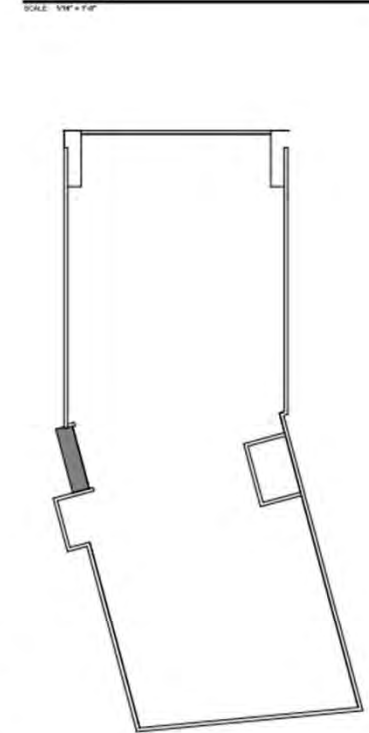
LEVEL 01



LEVEL 02-06



ROOF PLAN



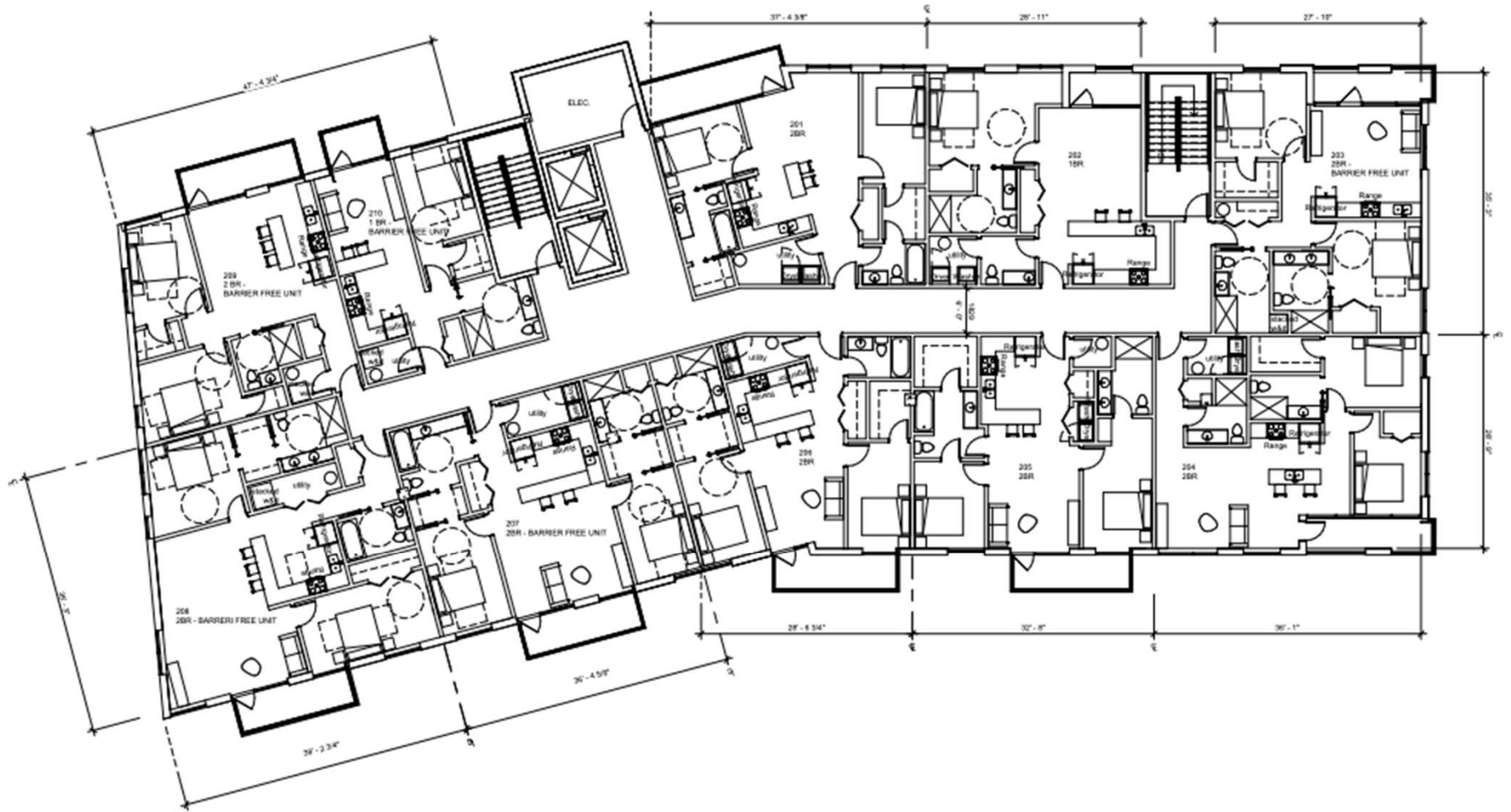
REQUIRED PARKING:	74
SURFACE PARKING:	43
UNDERGROUND PARKING:	31
TOTAL PROVIDED:	74
10	UNITS/ LVL; 59 UNITS TOTAL:
14	1-BED
45	2-BED

GARAGE AREA:	11,771 SF.
BLDG. AREA LVLS. 1-6:	67,962 SF.
RENTABLE AREA	52,869 SF.
BUILDING EFFICIENCY	0.66
FACADE AREA	33,905 SF.

Floor Plans



Floor Plans

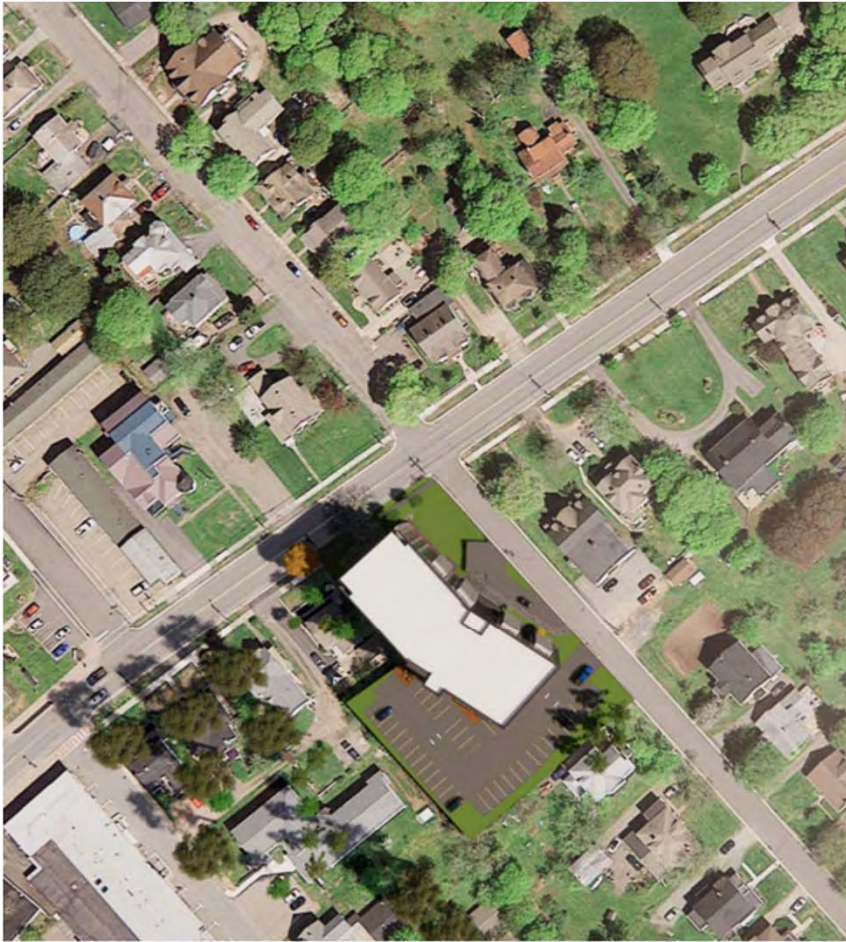


Energy Efficient Design

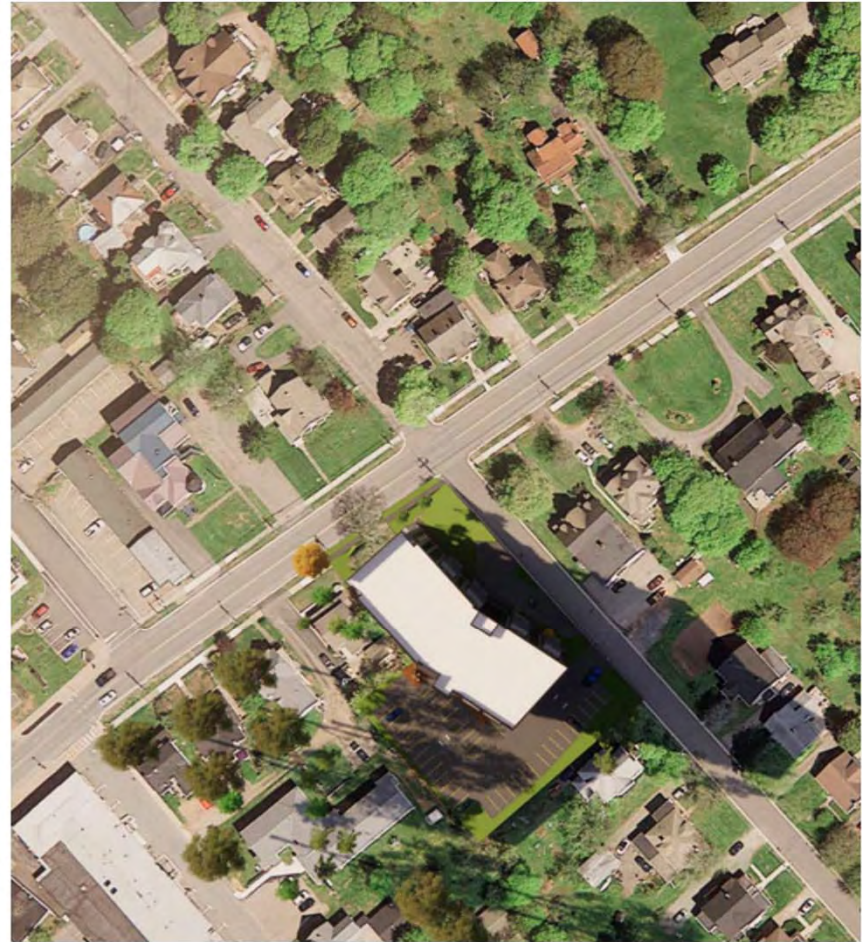
- Tilt-up Concrete Wall Panel Profile
- R32 Insulation
- 40% more efficient



Summer Solstice Study



10 AM



4 PM



Winter Solstice Study



10 AM



4 PM

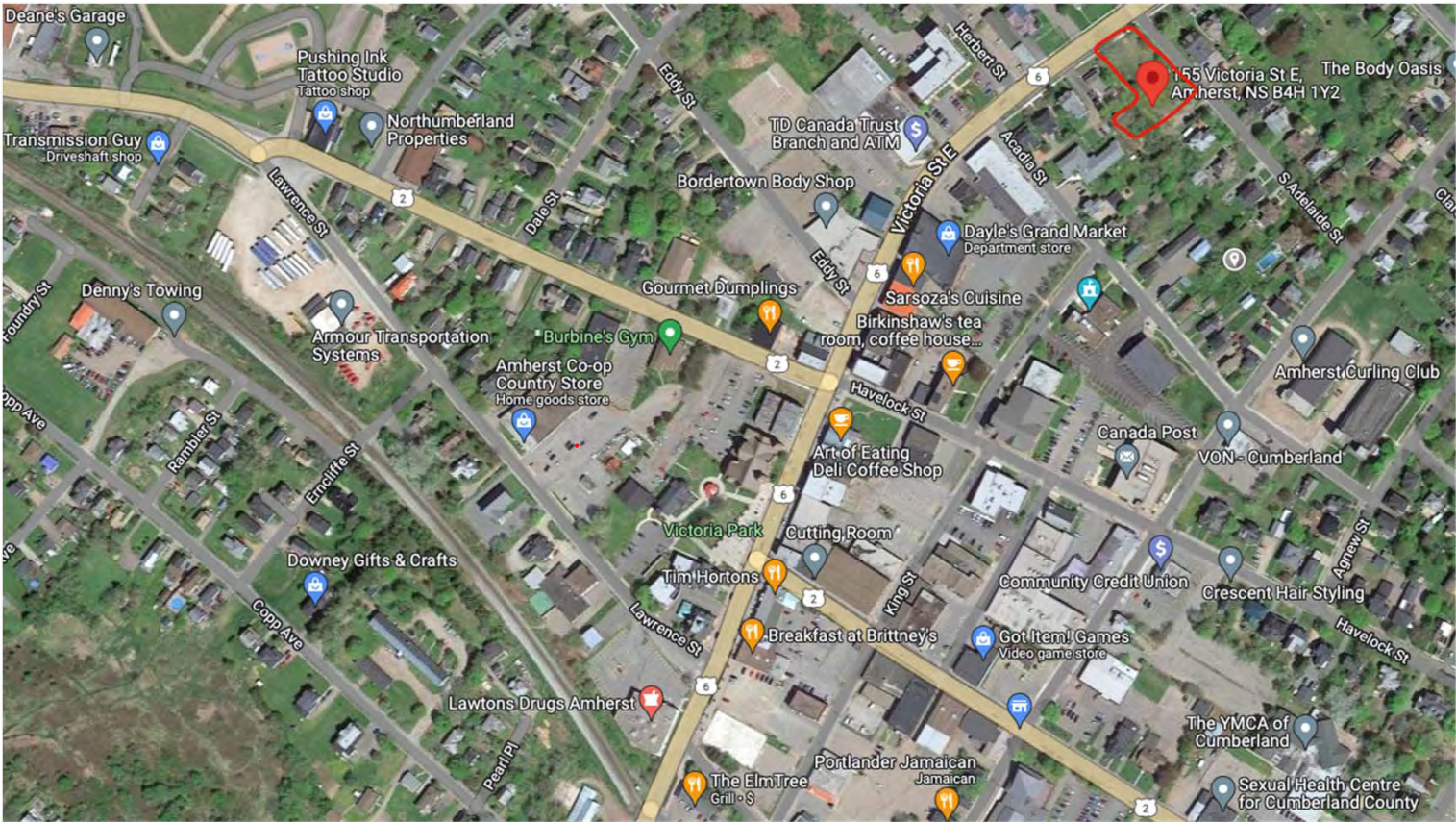


Downtown Amherst Streetscape



Residential Activity to Revitalize Downtown

Location Map of Amherst Downtown



Just 1 block from Downtown

Thank You

Email – 155eastvictoria@gmail.com

**Town of Amherst
Public Participation Opportunity
Minutes**

Date: January 18, 2023
Time: 5:00 pm
Location: Council Chambers, Town Hall

**Council/Planning
Advisory Committee
Members Present** Deputy Mayor Leon Landry
Councillor Hal Davidson
Councillor Dale Fawthrop
PAC Chair/ Citizen Representative Ronald Wilson
PAC Citizen Representative Larry Pardy
PAC Citizen Representative Creighton McCarthy

Staff Present Jason MacDonald, Chief Administrative Officer (zoom)
Andrew Fisher, Director of Planning & Strategic Initiatives
Abiola Falaye, Land Use Planner/GIS Coordinator
Marc Buske, Building Official
Natalie LeBlanc, Deputy Clerk
Emily Wainwright, Dangerous/Unightly Premises Administrator (zoom)
Cindy Brown, Administrative Assistant

1. 3, 4, 5, 7 Robie Street Development Agreement Application

1.1 Staff Reports / Presentations

Abiola Falaye presented the proposal for a development agreement application by Hicks Lemoine Law Office to change an existing non-conforming use to another non-conforming use, including the renovation of the existing community hall and change its use to a commercial office space.

Dave McNairn from Hicks Lemoine Law Office explained his application in more detail.

1.2 Public Participation Opportunity

Ed Childs wanted to know why more information was not presented upfront with the mail outs to the residents. He then realized he was commenting on the wrong development.

Vanessa Knock was concerned about parking for the funeral home. Dave McNairn assured that Hicks Lemoine Law will work with the funeral home to accommodate parking if/when they can.

2. 264 Church Street Development Agreement Application

2.1 Staff Reports / Presentations

Andrew Fisher presented the proposal for a development agreement application to permit the construction of a 96-bed long term care facility.

Jennifer Tsang with Sunrose Land Use Consulting representing Gem Health Care Group explained the application in more detail.

2.2 Public Participation Opportunity

Andres Saad wanted to know what will happen with the current Gables Lodge facility that this development will be replacing.

3. 155 East Victoria Street Development Agreement Application

3.1 Staff Reports / Presentations

Andrew Fisher presented the development agreement application, explaining that the applicant, Leslie Carrie, is proposing to construct a 59-unit, 6-level apartment building.

3.2 Public Participation Opportunity

Kathy Wells, a resident at 9 South Adelaide Street noted that she understands the need for housing and growth, having lived in the Town of Amherst for about five years. However, she feels that the proposed development is not befitting within the Heritage area of the Town considering its size and facade. She has concerns about the potential negative impacts this project may pose on the surrounding properties, including parking, access to egress for possibly more than eighty vehicles, and environmental impacts that may result from the loss of trees and other vegetation on the subject site.

Furthermore, Kathy wants to know if consideration has been given to the following issues:

- The potential traffic increase on South Adelaide as there are currently no sidewalks.
- The safety of children who usually play street hockey in the neighborhood.
- The capability of existing Town infrastructure and services, particularly solid waste collection system, to meet the demand of the additional population that the proposed development will bring into the Town.

Besides, the concerned resident called the attention of the staff to a brook that currently runs behind South Adelaide and Acadia Street. She explained that the underground parking lot that is included in the proposal will not allow for proper drainage of the creeks surrounding the subject site. She also noted that images presented were not sufficient in describing how the shadow of the building will look like or feel like. Hence, she requested that a more detailed shadow study. be submitted.

Lastly, Kathy reiterated that she wants the historical/heritage feeling within the area to be preserved and followed this up with the submission of a letter containing the details of all her concerns regarding the proposal to Andrew Fisher at the end of the meeting.

Maria Smith, a resident at 12 South Adelaide Street explained that she understands the needs for housing/development but wants one that compliments the area. She feels this development will forever change the density and character of the neighborhood and she is worried that the owner may flip the property later for the capital upswing in real estate investment trust. She then asked if a traffic impact and environmental impact study has been done for the proposed development and made available to the public.

Maria also wants to know:

- if the Town Fire Department can deal with a fire incidence in a building of this height?
- the impact of the proposal on existing Town infrastructure and if this information is available to the public.
- if the proposed development will have an impact to the local environment including the destruction of an over 150-year-old oak tree on the property.
- if there an engineering report from the Town of Amherst and available to the public?
- if a feasibility study been completed and made available to the public?
- why the application is being considered since the proposed development does not fit the existing land use bylaw?

She later expressed concerns about the impact the proposed development would have on the value of other properties in its surrounding, including the 150-year-old Oak tree that may be lost to the development, and suggested that the proposed development should be built somewhere else or reduced in scale.

Maria submitted a letter detailing her concerns to Andrew at the end of the meeting.

Ed Childs agrees with the previous speakers. He feels there are better places to build an apartment building. He had questions about the development agreement process. He is also not sure about the shadow study as it does not cover the shade coming from the north.

Leslie Childs a member of the Amherst Area Heritage Trust explained that the proposed development will eclipse many over 150 years old heritage buildings that gives Amherst its unique identity and fascinate visitors and tourists in Amherst. She feels this is not the time and place for a building of this size because there is a need to maintain the historic architecture in the area.

Leslie wrote a letter to be submitted to Andrew Fisher at the end of the meeting.

Patricia Wright lives 1.5 meters from the development at 153 East Victoria Street. She is worried about the shadow the proposed building will cast on her property all day long, intrusion on her privacy due to the numerous balconies, proximity and building height, the noise and light rays that will result from the parking lot which is directly on her backyard, and the impact of the proposed construction on the foundation of her building.

She is also concerned about losing the vista she currently enjoys from her property, and the potential depreciation of her property value due to the dominating development that is being proposed next door. Additionally, she is distressed over the noise and dust that will be generated during the construction stage, and the possibility of melting snow flooding her yard. She also said she wants the applicant to provide insurance coverage for her to cover the cost of possible accident or property damage during the construction.

She then expressed her disappointment in the application being considered, explaining that she had only bought her home recently and this proposed development will cause a significant reduction to her lifelong investment.

Pat wrote a letter to be submitted to Andrew Fisher at the end of the meeting.

Charla MacPhee, lives on 1 South Adelaide Street. She is concerned about the vehicles, noise, dirt, and shadow the building will pose. She said she will vacate her property if the proposed development is approved because her dream is not to have a home next to a massive building like the one being considered. She feels the subject lot is not big enough for the scale of development that is being proposed and that such developments are more appropriate in cities instead of a town like ours. Other concerns she highlighted include the safety of children in the neighborhood considering the absence of sidewalks on South Adelaide Street and the fact that if any other home in that area is lost due to a fire or any other event, a similar type of development may be considered as replacement. She therefore feels that if the Town permits this proposal, it will set a bad precedent for would be future developers in the town.

Charla wrote a letter to be submitted to Andrew Fisher at the end of the meeting.

Bob Janes who live on 3 South Adelaide Street, explained how he develop interest in the Town of Amherst and finally choose to settle here. He then proceeds to condemn the proposal and express his total dissatisfaction. Some of the issues he raised pertains to the size and location of the subject site, and he feels the development will not in anyway enhance the downtown and surrounding area. He described the proposal as a postage stamp that will not do anyone any favor, but rather encourage similar developments in that neighborhood. He urged the council to put themselves in the residents' shoes and stand up for them. He reiterated that it is the responsibility of the Council to be on the side of the community and that if this goes through, something similar may be proposed for the vacant Walter Wells lot on the corner of East Victoria Street and Lamy Street.

Vanessa Knock who lives on Church Street explained that she moved to Amherst from the UNESCO Town of Lunenburg. She said the developer should have paid attention to the existing streetscape and at least made the design look like it ought to be there. She referenced a recent proposal that was denied by the Council in the Town of Lunenburg because the architectural design was considered a misfit in the surrounding area. Besides the architectural outlook of the proposed building, she is worried about the mental health impact of the shadow from the building on its neighbors; having suffered from depression due a similar factor herself. She proceeded by saying, although she had approached some Town Councillors in the past and advised them to encourage upscaling some existing fourplex housing units in the Town to ensure maximum utilization of the limited Town land, she feels a 6-storey building in this location is too big and ridiculous. Also, despite the need for more affordable housing and increased revenue for the Town, she advised the decision makers to consider the adequacy of provisions for garbage collection and parking especially on special occasions when there could be increasing number of visitors on the site. She further stated that the average salary in Amherst is 30,000 – 35,000 and 50,000 – 55,000 in the rest of Nova Scotia, hence, it is important to note that a \$1,200 rental apartment cannot be considered affordable in Amherst. She then added that while the proposed building will be a great development for somewhere else, it is too big for the lot on 155 East Victoria Street, and it will be sending a negative message to the residents if approved by the Council. She concluded that despite not living within proximity to the proposed development, she is standing in solidarity with the concerned neighbors and advised the Council to respect the neighbouring residents in taking a decision on the application.

John Servedio said he lives next door to Patricia Wright at 151 East Victoria Street and will be the second most affected person. While acknowledging the property owner's right and dissociating his emotions from the discourse, he pointed out that location of the subject site is the beginning of the prestige Victorian residential housing area. His main concerns include the potential increase in traffic, shade, and parking. He therefore suggests that the development be scaled down. John then referred to the previous proposal for that lot (condo), and that it was approved, however, the owner could not sell them.

Jack Wood owns the property adjacent to the proposed development at 157 East Victoria. He said that his building has the same size lot and only has eight units. He is worried his tenants will have a loss of privacy. He agrees with the previous speakers and does not support this development.

Ondrej Saar, while speaking on behalf of Gordon Foster who lives on 14 Acadia Street explained that he is worried about the traffic, duration of and disruption due to the construction. Other questions he put forward include if this building will be converted to condos in the future and guarantees that the apartments will not be converted to something

else or sold to someone else. He feels there are better areas for a building of this size and cited some examples. He said one could argue that the lot is in the downtown zone but feels the need to preserve the existing Victorian architecture in the area by providing a better transition from downtown to the heritage area, instead of the “big box” that is being proposed.

Jeff (did not come to the podium), feels that the property owner should have talked to the surrounding residents first before this process to see what they would want built there.

Gayle Janes lives on 3 South Adelaide Street. She indicated that if the potential tenants of this building will include families with children, then Spring Street Academy that happens to be the closest school will not be able to accommodate them because this facility is already overcapacity. Additionally, there are no sidewalks on South Adelaide and she is worried about pedestrians with the increase of traffic, and the children who will and always have played on this street.

Patricia Wright of 153 East Victoria Street added that she would not have bought her house if she knew about this development and feels she would not be able to sell it if the proposal is approved.

John Servedio, 151 East Victoria Street, said the condo development from previous attempt had fewer units. He feels an owner-occupied development would be better. Spoke to government funding for this development, which indicated affordable housing that could be a free for all.

Isabel Kline said she is a long-term resident at 7 South Adelaide Street, and has always lived and operated a business in the Town of Amherst. She wants the development to be scaled down to probably a 2-storey building because she feels the proposal goes way beyond what should be permitted there. She is averse to what is being proposed and would prefer a two-story on the subject site. She is also concerned about the big stream/pond that is underground and not sure how a building of that size can be built over that.

Ondrej Saar said his mother who lives at 2 Clarence Street also confirmed the existence of a stream that runs all along through to the subject property, hence, he is concerned about the impact of the proposed development on drainage in the area.

Charla MacPhee, 1 South Adelaide, added that in the face of transparency, she is worried that Councillor Landry may be biased as he once mentioned during an informal interaction that he is pro-development. She said although she is not sure if he is referring to this proposal or development in general, she wants him to excuse himself from the committee who will decide on this proposal.

Nancy Allen owns the Bed and Breakfast at 158 East Victoria Street directly across from the proposed development. She said they have been considering installing solar panels and going green with their home, but now feels the shadow this development will pose if approved will obstruct this. She added that the property on 158 East Victoria Street which was built in 1904 has been home for her family since 1954. She added that they have welcomed a lot of guests from all over the world and they all alluded to the fact that the beautiful homes on East Victoria Street distinguishes Amherst from other places in the world. She also expressed concerns about the oak tree on the subject property, stating that her husband’s family were part of the builders of these large heritage homes, and it would be a shame to see this constructed here. She wants to see the town develop in the right

way and not throw the baby out with the bath water, which she said will be the case if the proposal is approved.

Jim Furlong, General Manager at Casey Reality, a property management company in Amherst, said he did not intend to speak, but there is a need for at least 250 - 400 housing units to keep up with current demand. He explained that he receives numerous calls from all over the world from people wanting to take jobs in Amherst but there is no housing. He said some people are even living in their cars. He explained that he has been building businesses in communities all over the world for over 30 years and wants to bring a business to Amherst but had to find a different location due to lack of housing for the employees. He therefore encouraged Amherstonians to keep an open mind to development, however, it must be the right application, at the right time and right place. By so doing, he believes Amherst would be able to overcome the underdevelopment it had been experiencing for over 100 years.

Shelia Graham has lived on Rupert Street for the last 18 years. She said she moved here specifically because of her house and for the first time in her life after residing in 37 houses in Amherst, she felt like she had found a home. She spoke of a visitor from the United States of America who stopped to take a tour and pictures of her home, and indicated how much they love the town, stating that it is a photo op and should be designated as a historic Area.

Ed Childs wanted to know why there is no heritage/historic representative on the Planning Advisory Committee.

Anna Arbuckle lives at 4 South Adelaide Street, a house which was built in 1893. She said she loves her home and her street, and this building will forever change the streetscape. She is concerned about the potential traffic implications of this development and thinks a development this size is not necessary following the recent approval of approximately 150-unit apartment buildings on Brown and Mosher Street.

There being nothing further from the public, Mr. Fisher indicated that the next Planning Advisory Committee meeting will be held on February 6, 2023, at 4:30 PM. He noted that although the meeting is open to the public, it is not an opportunity for the public to address the Committee. He thanked everyone for coming and for their inputs.

Andrew Fisher

From: Leslie Childs <elchilds1248@gmail.com>
Sent: January 13, 2023 4:08 PM
To: Andrew Fisher
Subject: Public meeting Jan 18 2023

Please acknowledge receipt of this email.

Good morning,

I am strongly opposed to the development proposal for the small lot on East Victoria and South Adelaide. It is an inappropriate location for future tenants as well as current property owners in Amherst's historic heritage district. The visuals supplied in the letter to the neighbours are misleading and inaccurate. They show the proposed building set in a large green field surrounded by trees, not squeezed into a tiny patch of urban land and houses.

Heritage Areas/Districts have proven to be the source of economic growth and community spirit in many places like Lunenburg and the South Shore. Amherst, too, will receive the same kind of positive outcomes if even a small effort is made to market our 350+ years of history.

Many houses on East Victoria range in age from 260 -150 years old, have deep roots in Canadian history, and include wonderful examples of a wide variety of sought-after architecture. This is what travellers/tourists want to see and where newcomers to Amherst want to live. The recent upswing in purchases of heritage homes demonstrates this clearly, not to mention a sharp increase in purchase price.

These **ONLY A FEW** of the reasons this project is not a good value in this location.

1. The building and tenant load is too large for a lot that size. The building will cover most of the lot footprint, giving the property a claustrophobic look.
2. The building's architecture does not reflect the tone and culture of the built heritage around it.
3. Fifty-nine (59) apartments could house more than 100 people. Are sewer, water, road infrastructure sufficient to carry the additional load? How long before extensive upgrades are needed to sewers, water mains, roads etc in the area? What will/would it cost the Town to reconstruct and upsize these? Would taxes have to rise to cover this?
4. When combined with the 3 other apartment developments (Willow Street), will there be sufficient demand to fill all of them. (54 x 3 + 59 = 221 new apartments) Are there that many people looking for accommodation of this type? What are the ramifications for the Town if these buildings remain under used?
5. What about the environmental impact? How many vehicles will be associated with this project?
*Will parking be available for 70+ resident vehicles?
Downtown Amherst provides few places to shop for essentials like groceries and household items. It's a 10 km return trip to the shopping centre.
(3 times a week times X 59 apartments means an additional c.1800 km per week or 93,600 km per year. That's a significant amount of engine exhaust and wear on the infrastructure? How much will the extra use cost the Town in road maintenance in the future?
5. Residents report a water course only slightly below ground that will impact the stability of the land and services in this area. Has this been investigated? What costs would this incur?

6. Property values will inevitably slip in adjacent areas. How will this impact the income to the Town in taxes?

Leslie Childs
902 667-9208

Sent from my iPad

Andrew Fisher

From: Leslie Childs <elchiids1248@gmail.com>
Sent: January 15, 2023 6:00 PM
To: Andrew Fisher
Subject: Public Meeting Re: Apartment Development Jan 18/23

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Please acknowledge receipt of this email.

Here are my comments in preparation for the Participation Meeting on January 18, 2023 at Town Hall

1. You call this a public participation opportunity
If it is to be a time for public participation - why is there a limit of 3-5 minutes speaking time. .
2. How can decent public participation be obtained when very little information is provided to residents in the area or in Amherst in general? Why is the pertinent information only circulated to a very few
3. It is difficult to submit an accurate and useful written report in advance of the meeting when no proper background is available.
4. The proposed building on Victoria at South Adelaide does not address lot coverage, traffic issues, or implications on the utilities, infrastructure or zoning.
5. The supplied picture is obviously not in Amherst and is in fact, set in a pastoral setting with no indication of the lot lines, or surrounding landscape. The impression it gives is misleading to those who see it.
6. The proposed area is part of Amherst's historical district. This project, according to the pictures, does not fit with the surrounding historic properties. Amherst is known for its historic architecture and residences and people have purchased property here because of this.
Perhaps the design could be redone to reflect the architecture of the period.
7. A town is composed of owned properties and rental properties. In the last few years, rental growth has boomed with the installation of many new four plexes.. Has there been any consideration for a review of the ratio between rental and owned properties?
8. This development will have a significant impact on the immediate area and the community in general. Has anyone considered the current demographics and those 10-20 years hence when many seniors will no longer be part of the community?
9. This is a reminder that this development and the Participation Meeting will affect many more people than just the immediate neighbours. Their concerns need to be addressed and all information needs to be shared with every citizen in Amherst.

Edward Childs
902 667-0208

Cindy Brown

From: Patricia Wright <prjw@live.com>
Sent: January 15, 2023 10:28 PM
To: Natalie LeBlanc
Cc: Nicole Vickery
Subject: 155 Victoria

Hello Natalie:

I live at 153 Victoria St E. I have many concerns about this application. Myself and my property will be greatly impacted should this project move forward. How much time will I have on the floor to voice my concerns ? Will I be able to ask all my question ?

What if there is no time for me to speak ?

Here are some of my concerns:

Its not just about the noise, traffic and congestion for me I have a lot more at stake!

Does it fall in the zoning laws ? The area is zoned residential and that's one of the reasons I bought here in October. The other being I'm very proud to be living on Victoria with the Victorian homes.

What does the zoning allow for ?

How do I stop this from happening?

The value of my home will be an issue!

This building will tower over mine with it being only a few feet away about 12 to 15 feet away and 60 feet tall. It will be on the Eastside blocking the morning sun well into the afternoon. I will have to use more power to see in my house as I will have no natural lighting for most of the day. I will also have 30 balconies face into my house and my privacy will be totally violated. My back yard is totally shaded by trees, I was going to remove them to allow for more daylight in, this is as issue now. I will be on total display anywhere on my property and for most of inside my home as well.

The parking lot's winter plowing will cause my land to be flooded as it is higher and drains in my direction. I will not be able to open any window in my house for the length of the construction because of noise, dust and dirt.

I believe there maybe a water table that runs through that property, not sure if they're allowed to interfere with that !

Im not opposed to this proposal, only the location Is it the land owner making the proposal?

Should this go through and I pray it doesn't what are my rights?

What are my rights living a few feet away from a construction zone?

What if a crane drops something on myself, my buildings or heaven forbid on one of my grandchildren ?

Will the developer put enough money in escrow to cover any possible damage, repairs, injury and legal fees if I need to litigate ?

With the building being built a few feet from my house and garage will they underpin mine because of risk of foundation damage cause by them as well as compensation for having them to work on my property ?

A Insurance policy put in place in which my building and property and myself are named as additional insured party for both the developer and the contractors. There needs to be a special endorsement to the policy to protect myself and my property

From start to finish how long is the projected time from first shovel in the ground to occupancy ?

When do you see the shovels hit the ground ?

How long will the shoring take ?

How long for the levels to be built?

Im sure I will have more question ?

Regards

Patricia Wright

January 16,

2023

To our mayor, Dr. David Kogan and Amherst Town Councillors:

My husband and I are opposed to the development proposal for the lot of land located on 155 East Victoria. This lot also borders South Adelaide where we currently reside. We are not opposed to the development of this property. We deeply feel that the proposed multi 59 unit, six story apartment building would compromise the health and safety of the residents in our existing neighborhood. This project requires a special development agreement because its dimensions is in excess of the municipal by law land use for residential areas.

Building permits allow our municipality to protect the interests of both individuals and the community as a whole. Buildings must comply with:

1. Health, safety and fire protection of residents as well as safe accessibility and resource conservation.
2. Local zoning by laws.
3. Other applicable provincial legislation such as Environmental Protection Act.

Council should consider how the size of this building is not compatible with adjacent residential properties, adequacy of vehicular access, water supply, sewage disposal and risk of flooding.



I believe that the current by law for a multiunit residential development in a residential zone requires 300 square meters of lot per each unit. A 59 multiunit apartment building would require $300 \times 59 = 17\,000$ square meters of land. I believe that this building far exceeds the total amount stated in the current by law protecting residential areas.

We are very worried about the safety of the residents residing on South Adelaide and the surrounding areas. There is an access entrance to this building from our street. There are eight children and many senior citizens living on South Adelaide. 59 units would heavily increase the traffic on our street. It is narrow and does not have any sidewalks. There is also a blind spot because of the hill on our street. Many pedestrians walk along South Adelaide. We believe that the huge increase of vehicular traffic would be hazardous.

Are the water and sewer pipes 50 years or older in this area? How will this affect significant challenges over the next decade?

I know that providing services such sufficient rentals and working infrastructure is one of the primary roles of any municipality, however we strongly oppose the construction of this 59 multiunit apartment building on the 155 Victoria East lot because it jeopardizes the health and safety of the residents currently living on and near South Adelaide. We implore that the council take their time and look at land currently owned by the town or study current vacant lots and buildings where a project of this size and height would be more appropriate and would also have safe access for vehicles and not endanger pedestrians.

Thank you for taking the time to read this letter and consider the content.

Mr A. Fisher

Jan 17, 2023

Re: Proposed Development at 155 East Victoria St E

I live immediately adjacent to this proposal, at 1 South Adelaide Street.

We chose Amherst when we moved from Calgary because of the charm of this neighborhood, its historical homes and lower density housing. With such sprawling land immediately available in all directions of town, it speaks to a lack of thought, care, concern, and respect for existing bylaws long established to protect such attractive what the town itself shares above most things – that historical charm. Once that is gone, you cannot get it back. And to lose it in haste would have long lasting effects.

Proposed development is exceptionally oversized and incompatible with already existing homes.

Under current bylaws, created by Amherst Town Council to protect what we hold so dear and use to attract tourists, business, and new residents to this town... state a 4 unit apartment building requires 300 sq metres of lot per unit. $300 \times 59 = 17,700!$ Lot is currently 1200. This proposal, as it exists now, would require a special permit, in contradiction to the bylaw this town's council made itself to protect the interests of BOTH individuals and the community as a whole.

This proposal is grossly out of scale both with bylaw as well as surrounding buildings on attached streets. Once you get beyond the businesses located at the corner of Acadia Street and Victoria St E, the feel of the neighborhood immediately changes from downtown to historical district, whether designated officially as such or not.

There is no getting back land in historical districts, nor re-establishing existing historical charm and feel. Once that land is gone, it is gone and it cannot be brought back. Not only does the neighborhood lose, but the whole town does, and it's incredibly short sighted to put a building in this location simply because apartments are needed. No one is arguing that, but the location is precious. We have to realize what we have before we throw it away.

2 streets worth of family homes will lose all privacy in their backyards.

Woefully inadequate parking for residents, which makes street parking/congestion on a tight street with a blind hill, no sidewalks and roughly 10 kids who walk to school as well as any additional kids who live in the building.

Road is already narrow and on a blind hill, causing huge issues with safety, policing, congestion. Again, back to the very bylaw they are proposing exception be made to is there to protect the health, safety, and welfare of the general public – it goes against these for the very residents they intend to house there.

Does underground parking take into account the water table level on this block? There is a brook running between the backyards of homes on Acadia and South Adelaide, any underground parking would likely be prone to continuous flooding. Street parking is already an issue as the street itself is so

narrow, this applies not only to South Adelaide, but to Victoria St E where you already see traffic snarling when street parking is utilized only on one side – imagine two.

Infrastructure – Over 50% of drinking water pipes and over 54% of sewer lines are well over 50 years old.

Being directly next door, I'm incredibly concerned with parking, lighting, garbage/recycling location, noise, loss of privacy, FENCING.

How on Earth could my property value not go down with this monstrosity immediately adjacent?

Shadow study done for all surrounding properties.

As this proposal stands, it goes above and beyond reasonable strains on standards already established by nearby dwellings, the health, safety and welfare not only of residents who already live in the area, but also of those who would be housed there. Add in the land usage and it's outlandish.

We do not agree that this proposals location can fit into the character of our existing neighborhood. It would be feasible of our town planning committee to look at land currently owned by the town, ie Robert Angus Drive, vacant buildings and vacant building lots where the height may be appropriate. It is not here, by definition of the towns own bylaw.

Sincerely,



Jason and Charla MacPhee

1 South Adelaide Street

When tourists walk up our street & take photos of the historical homes, this building proposed would ruin & be nothing but something to be cropped!

January 18, 2023

TO: Planning Advisory Committee
FROM: Bob and Gayle Janes

RE: Proposed 59-unit Apartment Building at 155 East Victoria Street, Amherst, N.S.

We would like to go on record as being vehemently opposed to the above building proposal. We recognize that Amherst is in need of affordable accommodations, but we feel that this is not the appropriate location for such a building. We have many concerns, i.e.:

A six-storey building in a heritage/residential area would overwhelm the surrounding homes.

Parking overflow on adjacent streets would present considerable issues for the present residents.

There are no sidewalks on either side of South Adelaide Street which presents possible safety concerns for the residents, including several children and several seniors.

The lower land on the west side of South Adelaide Street floods frequently which begs the question as to what further problems could occur as a result of a large building being erected at the end of our street.

If this building is geared toward families, it is important to note that Spring Street Academy (the elementary school in this catchment area) is already over capacity.

A building of this size will impact the light and sunshine on nearby homes.

We are led to believe that the lot is smaller than current guidelines allow.

Can the Amherst Fire Department access a 6-storey building?

This project is bound to impact the resale value of nearby homes, including ours.

We made the choice to move to Amherst 49 years ago and we raised our children in this house. We now often have our grandchildren here, who enjoy safely playing in and around our property. We have enjoyed the peaceful, small-town vibe on our street, but that feeling will disappear with the construction of a 6-storey apartment building two doors away from us.

There are other locations in Amherst that would appear to be much better suited for a project of this size. Have any of these been considered or is this location being pushed because the company already owns the property? Perhaps a cluster of quad-plexes would be more appropriate for this location.

We really hope the decision-makers will consider our position and those of our neighbours. We sincerely doubt that any of the Council members or PAC members would welcome such a project next door to them.

Thank you for considering our concerns.

Bob Janes. Gayle Janes.

To
the planning director
Jan 18 / 2023

Fr Dan & Eleanor Jolly
3 North Adelaide St.
Amherst N.S.
B4H 3M3

As residents of 3 North Adelaide St we wish to express some concerns about the proposed building for 155 Victoria St. We have a great appreciation for residential status of our neighborhood and hope that these qualities can be maintained.

We realise that there is a need for new housing and new development in this town, however when looking at the plans for this development it really appears to be out of context with the surroundings and much too large for the lots.

Victoria St. being the major artery to the east of the county deals with much heavy truck traffic, ambulance, fire & police urgently headed to their destination.

As a lifelong resident of 3 N. Adelaide we have seen many an accident at the Victoria and Adelaide intersections, a lot of them trying to make a left hand turn. The street becomes very tight when three vehicles try to negotiate the street at the same time, and this gives no consideration for the bicycle traffic on the street.

(3)

We ask, how can Victoria st accommodate the addition of 59 more residences which must utilize this intersection.

- Beyond the traffic we have other concerns
- Fire Is a six story building within the capabilities of the fire department?
 - Electrical Infrastructure there is a feeder line running up the west side of South Adelaide. Does the building have the proper set backs from the power lines?
 - Surface water after a heavy rain or a fast melt in winter there is a lot of water that accumulates on Victoria. Will the development of this lot worsen that problem?
 - Sunlight Due to the height of this structure we probably will lose 2 hours of direct sunlight in the winter months. This is a concern for those of us who live to the north of the proposed structure.
 - Wind. The force of the wind has been a burden in recent years making it much more costly to keep roofs intact on our homes, and also causing trees to break causing the need to hire to remove them from our neighbor's home.

3

Such a tall building will only exacerbate these problems.

— the parking garage. this facility displayed in the drawings appears to be very near the sidewalk of Victoria St.

These are some of our initial concerns.

Respectfully

Dan Jolly
Eleanor Jolly

Andrew Fisher

From: Jason MacDonald
Sent: January 18, 2023 3:06 PM
To: Andrew Fisher; Kim Jones
Subject: Fwd: Victoria and Adelaide

Sent from my iPhone

Begin forwarded message:

From: James Goodwin <jamesbwgoodwin@gmail.com>
Date: January 18, 2023 at 2:41:14 PM AST
To: Jason MacDonald <JMacDonald@amherst.ca>
Subject: Victoria and Adelaide

Hello,

I'm writing to submit my opposition to the proposed apartment at Victoria and Adelaide. My wife and I live at 14 South Adelaide.

- 1) our street has no sidewalks, and it will only be a matter of time until the 60 car parking lot results in a fatality. It's very dangerous to have such a high traffic parking lot on a narrow street with no sidewalks.
- 2) part of the parking garage is underground, which is surely impossible in Amherst, it will flood and the town should take this into consideration that this is simply not a serious proposal.
- 3) It is simply too big for our neighbourhood. I would be perfectly fine with perhaps ten units or even maybe twenty, but a six story building is going to ruin the street.
- 4) Lastly, I think it is unfair to the neighbours of the property who live in ordinary houses. This zoning will surely damage their property value.

Thank you,

Jamie

Kathy Wells
9 South Adelaide Street
Amherst, NS
B4H 3M1

Wednesday, January 18, 2023

Town of Amherst
Planning Advisory Committee
98 Victoria Street
Amherst, NS
B4H 1X6

Dear Committee Members,

I am writing today in regards to the planned development to be built at the corner of South Adelaide Street and Victoria Street.

Let me start by saying that I understand and appreciate the need for housing in the Town of Amherst. I have been a resident of Amherst for most of my life and have chosen to stay and raise my family here. I love our community. I want to see Amherst grow and flourish as a town. I want our town to become a destination for business, tourism and residents. My husband and I chose to move into this area from the county 5 years ago and enjoy the proximity to downtown, the quiet, friendly neighbourhood as well as the historical feel of our community. I do not believe though, that the location of Victoria and South Adelaide, is the correct location for a development of this size.

When looking at the Land Use By-Laws of the Town of Amherst, an apartment building in a residential area such as this would be limited to less than 5 units. I understand that a developer has applied to build an apartment that would house 59 apartments and be 6 stories high. This application far outweighs the current bylaw and is a huge concern to me as a near-by resident.

I have seen the plans, and walk by this site often, and honestly do not see how they match. On this site, concerns such as: 1) The negative impact on surrounding properties. 2.) On-site parking with appropriate access to and egress for potentially more than 60 vehicles. 3.) The environmental impact and loss of trees and grass to the area. 4.) The development, as planned, does not fit esthetically with the Heritage area they are proposing to build on.

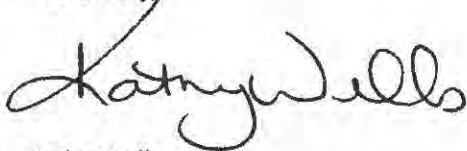
I am wondering if the following considerations have been made and/or studied.

1. **A Traffic Study-** South Adelaide Street does not have any sidewalks. It is a quiet street where children play and traffic has not been a huge issue. However, adding that many vehicles to the area, will it still be safe not to have a sidewalk? Does our current infrastructure have the capacity to handle a building of this size along with the vehicles that will come with it?
2. **Environmental Impact-** There is a small brook running between South Adelaide and Acadia Street. Spring often brings high water to this area. Will the development of such a large building with concrete parking lots and driveways allow for proper drainage?

3. **Shadow Study-** I have driven around Amherst and have not been able to locate a 6-story building anywhere in the town to see what impact that would have on surrounding residents. Has a Shadow Study been completed? How would it affect vegetation/ gardens in the surrounding buildings?
4. **Sewar System-** Will the current infrastructure be able to handle the increased demand that a 59-unit building would have?
5. **Heritage Area-** I have visited other towns with new builds, including Sackville NB and Antigonish. Both areas are similar in age, and the developers have been able to build new construction, keeping the historical feel of the area alive. Amherst is advertised as "Canada's most magnificent collection of Sandstone Buildings", having "Historic B&B's". By no means do I want to live in the past, but honouring it along with our historic homes and neighbourhoods, is part of what makes Amherst special.

In closing, again, I agree and appreciate the need for more housing and development in Amherst. I do not, however, feel that this size of a 6-story building, with this number of apartments is appropriate for the lot of land the developers are proposing. I hope our citizens and elected officials on the Planning Advisory Committee take the above concerns into consideration when making their recommendations to the Town Council. I look forward to your response in advance of your recommendation to Council.

Yours truly,

A handwritten signature in black ink that reads "Kathy Wells". The signature is written in a cursive, flowing style.

Kathy Wells

**Re: Proposed development of a 59-unit apartment building at
155 Victoria Street East, Amherst, NS**

Members of the public, Planning Advisory Committee (PAC) and Council members, thank you for your attention.

People who live in this neighbourhood are just ordinary people; they work, they pay their taxes and if they're lucky and can afford it, they buy a house. I've lived in Amherst for the past 46 years and together with my husband, who is from Amherst, we are homeowners in this neighbourhood. Over the years, as many of our neighbours have, we have contributed to our community as business owners, employers, employees, volunteers and responsible homeowners. I use the word community a lot because we are part of a community and a neighbourhood of caring people – people who have invested here – heart and soul and financially. Our hard work and that of our neighbours has made this an attractive place to live. We've invested in our homes. No one buys an older home thinking there is nothing more to do. Every year our money is re-invested in upgrading our homes, including reducing our environmental foot-print. Its responsible homeownership. For many years both my husband and I travelled to work outside of Amherst and actively considered moving away – **but we invested here.**

As communities grow, there is a need for good and responsible governance and elected leadership, formation of guidelines and rules to ensure that investment in the community is safeguarded. Development of land use planning and orderly development is essential in growing a healthy community. **Good governance is essential.**

The lot in question on Victoria Street, was made vacant by a fire. It is a beautiful property in a beautiful neighbourhood, the kind of neighbourhood that defines Amherst, and it deserves to be developed in a manner that compliments and adds value and character to the town. Amherst is an historical community, home of four of the Fathers of Confederation who founded our great country, Canada, including two existing homes originally owned by two of the four Fathers of Confederation, located just down the street from 155 Victoria St. This historical community and its beautiful Victorian streetscape and architecture is what makes Victoria Street an asset and a treasure to this community.

This is what attracts people here! This is 'Why we love it!'

Development on this lot can be positive and we encourage Town council to continue to work with the developer to address housing need, but not to the detriment of what makes our Town special and unique. The Amherst Land Use Bylaw (LUB) states what is allowed in the general residential zone where this lot is located, specifically a 4-unit apartment building per lot, which in this case, if there was a potential to subdivide into 5 building lots then potentially $4 \times 5 = 20$ units, with appropriate set backs, etc. This is the authorized land use and occupancy density for this area. **But the proposed 6-story, 59-unit development exceeds this by more than two times! It will dwarf everything around it and forever change the occupancy density and character of this area!**

The town's Municipal Planning Strategy (MPS) sets policy and can allow exceptions to the LUB under certain conditions at the request of a developer; however, exceptions should not be the rule nor should they be routinely approved as this is not the intent of the land use bylaw. Exceptions should only be considered, very carefully, in exceptional circumstances. Good governance does not and should not allow a proposed development that doesn't fit within the parameters and intent of the LUB or MPS.

Potential development for this land should be reasonable and in keeping with the MPS stipulation that that development be appropriate to the neighbourhood – not an oversized building that doesn't fit the local architecture or land use density. Once it's built its too late to lament that it doesn't fit well or, given the chance, officials of the day chose to allow an oversized development that ignored the importance of the historical essence, nature and heart of the community. **Development at all cost is not beneficial.**

The developer, who we understand is located in Halifax, proposes a building that's too large and has little architectural consistency with the streetscape. **It has all the charm of a modern, mass-produced box.** Is it affordable housing? You have to wonder if the developer's intent is to ultimately flip the building to capitalize on the current up-swing in real estate investment trusts (a REIT). In other words, ownership by a consortium or group of investors who are not tied to our community and the community's best interests. This has been problematic in other communities and provinces, and similar to non-resident ownership, has contributed to inflating the cost of housing. Affordable housing is essential. **In this potential scenario, once again, Amherst would have no control of its future.**

Some 15 years ago, a developer also tried to put up an enormous building that didn't fly. The approach hasn't changed, they ignore the fact that proposing a huge building on this lot doesn't work, but they still keep flogging it. They only consider their interests, but not the interest of the community.

The prospect of this development raises big questions:

- Has there been a Traffic Study conducted for this development? Is It available to the public?
- This is a huge building – could our existing local fire department even reach the top of the building?
- Much of our municipal infrastructure is 50 years old and older in many areas – what would be the impact of this development – not just to Victoria St but in the extended infrastructure? Has there been an infrastructure study conducted? It is available to the public?
- Has there been an Environmental Impact study conducted? Is this available to the public? This huge building will have an impact on the local environment, including the destruction of an over 150-year-old Oak tree that was planted before Amherst was even incorporated as a town.
- Is there an Engineering Report from the town? Is it available to the public?
- The Town Council has recently approved the construction of over 160 housing units adjacent to the E.B. Chandler School. Has a Feasibility Study been conducted for the 155 Victoria St development? Is it available to the public?

- If this proposed building doesn't follow the Land Use Bylaw, why is it being considered? Does this development follow the Land Use Bylaw?

Simply put, if the developer or Town Council want a building this large, then choose another location, there is plenty of land in and around Amherst where this would be more appropriate. Or, in accordance with the Municipal Planning Strategy and the Land Use Bylaw, the PAC and Council could request that developer scale back the size of the proposed development for 155 Victoria St and ensure it fits within the neighbouring architecture.

We are not against development, but we want responsible development.

This has been upsetting for us and many of our neighbours, some of whom have recently moved here. Some neighbours are actually thinking of selling their houses and moving to a place where their community spirit is more appreciated and it's safe to invest in buying a house. It is a depressing situation to say the least.

Imagine, if you will, a homeowner, with the biggest financial investment of their lives – the purchase of a home. Perhaps they have young children and they are working hard to make ends meet and most likely mortgaged their property to be a homeowner based on the value of the property. Imagine their horror waking up one morning to find that their home has been devalued because of an adjacent oversized development. Their house is no longer worth what they paid for it nor what it's mortgaged for. They regret buying here. When they were considering buying their house, they thought they had some security in making this investment because the General Residential Zone (which encompasses most of the houses in Amherst) doesn't allow for such an oversized development under the Land Use Bylaw. Put yourselves in their shoes. **No one wants to live in or buy a house close to a 59-unit 6-story apartment building.**

Imagine if you will, one day you get a phone call and learn that someone has taken \$10k, \$20k, \$30k or more from your bank account – **just imagine!** Your first reaction would be to think, 'I've been robbed! I am a law-abiding citizen and someone has taken money from me.' **Inflicting financial loss is wrong and there has to be accountability.**

If members of the Planning Advisory Committee or Council authorize an exceptionally large development that doesn't fit within the intent of the Land Use Bylaw nor the Municipal Planning Strategy, without due concern to the harm they do to homeowners, it is not good governance, and they, and possibly the developer risk putting themselves in a position of liability. They must be accountable for their actions. Being elected or appointed to public office doesn't give someone the right to inflict financial damage and hardship on citizens through poor governance.

As responsible homeowners we are asking the PAC and Council for responsible governance. **We ask that the developer be asked to scale back the size of their proposed development and ensure it fits within the neighbouring architecture. Make it an asset to our community not an eyesore.**

Respectfully submitted,

Paul and Maria Smith
12 South Adelaide St., Amherst, NS

Isabel and Jack Kline, 7 South Adelaide Street, Amherst, NS B4H 3M1

RE: APARTMENT PROJECT FOR VICTORIA STREET/SOUTH ADELAIDE STREET

The following is a summary of our concerns about the above project:

The affects on the local environment must be measured for its total impact. Such things as a view plane may not be important to others but it is to us. Our professional staff employed by the town must exam the issue closely. For example, the engineering department should give us an up t o date report on the affect this project will have on our water and sewer. It should be noted there is a stream of water that passes through the backyards of residence near the project. The water table, no doubt will be affected by such a large project.

The fire chief should identify needs of his department in order to provide service to a six story building. The fire department has always been up to date with local conditions and I see no reason why they wouldn't be but it should be addressed in writing how the project will affect the fire services.

The police chief in his role as traffic authority should provide a written assessment of the impact from a parking /street signage and insight into the volume of traffic both now and when the 59 units of the complex is completed. For example, the exit for cars leaving the complex is on a crest of a hill on the north end of South Adelaide St.

Heritage Committee

This committee should be contacted about this project before applications and permits are issued. They have played a central role in our community over the years.

Real Estate Values

We as well as all our neighbors are concerned about the impact this project will have on the values of our homes. A person familiar with real estate values suggests we could experience a loss in the vicinity of 12-18% .

In conclusion we as indicated have many concerns about the magnitude of the project, communication as yet is contained in a one page unsigned letter put in our mailbox. There is no reason why pertinent information cannot be shared with us before the project if approved is granted.

Respectively submitted,



John G. Kline

8 South Adelaide Street
Amherst, NS
B4H3M2

Town of Amherst
Planning Advisory Committee
30 January 2023

RE: Development Proposal, 155 East Victoria Street

Dear Committer Members:

Our names are Charles Shewfelt and Carol McCall. We reside at 8 South Adelaide Street, a property which we purchased in August 2012. Our home at number 8 is very near to the proposed development at 155 Victoria Street.

We attended the Public Participation Opportunity on January 18 and have received the presentation materials from that meeting. Like our neighbours, we have serious concerns about the proposal to build a very large apartment on our street, and wish to share those concerns with the Committee and members of Town Council.

Placing this development in this location will have several detrimental effects on our neighbourhood and those who live here:

- **Density.** We do not doubt that the property at 155 East Victoria will eventually be developed. However, we believe that whatever development takes place there, it should not be of a scale or form which would require a Development Agreement with the Town. As it stands today, the current proposal is for a building comprised of nearly fifteen times the maximum number of dwelling units contemplated by the Land Use Bylaw and the Municipal Planning Strategy.
- **Architecture.** As presented at the Public Participation Opportunity, the proposed building will be six stories high. We believe this will be the highest residential building in Amherst. The lazy uninspiring architecture and immense scale of this proposal is completely inconsistent with the size and style of the buildings in the neighbourhood, most of which are older single-family homes or older houses converted to a few apartments. The imposition of an outsized concrete box surrounded by asphalt will do nothing other than

diminish the ambiance of the neighbourhood and create a jarring eyesore in an area composed largely of heritage buildings.

- **Traffic.** The proposed building has two traffic entrances. The entry and exit to the indoor parking will be on East Victoria Street, while the only access to the outdoor parking is on South Adelaide. As you know, East Victoria is Highway 6, and is therefore a busy thoroughfare, carrying substantial commercial and general traffic. South Adelaide is a quiet residential street currently not only carrying the traffic generated by the homes on the street, but also considerable 'shortcutting' traffic between Prince Arthur and Victoria Streets. Both Victoria and South Adelaide will have to bear the greatly increased traffic generated by a building with fifty-nine more households
- **Parking.** The developer plans to have about 70 parking spaces on the property. This seems grossly inadequate in a building of 59 units. The shortage of parking on site will force residents and visitors to park on the street, particularly South Adelaide, which is narrow and ill suited to heavy traffic and parking. It should be noted that South Adelaide has no sidewalks and a blind hill leading up to the proposed outdoor parking lot, increased parking on the street will leave pedestrians with no choice other than to risk walking in the traffic lane.
- **Shadow.** We have looked at the shadow study information presented at the Public Participation Opportunity. The shadow is shown as it would be at 4PM on the summer solstice. At that time of year, the sun does not set until 9PM, creating a much larger shadow increasing through the evening. If the proposed building is allowed, much more of the neighbourhood will be in shadow during the summer afternoons and evenings than is indicated in the developers shadow study. With the long shadows of the winter, it may be that some parts of the neighbourhood will rarely see the sun.
- **Land Use.** The Developer's proposal envisions a building which with its parking lot will take up so much of the lot that there will be no room for effective landscaping to mitigate the negative impact of the building. Visually what is currently a treed green space on the edge of the Town's heritage area will be converted to a concrete and asphalt mass. This project is designed to be built or paved to the lot lines, eliminating trees (including a very old Red Oak) and most of the green space, while literally overshadowing its surroundings.
- **Privacy.** If built, the height of the proposed building will give its residents an unimpeded overhead view into the homes and yards in the neighbourhood, especially those near or immediately adjacent to 155 Victoria. This

represents a serious imposition on the lifestyle and privacy of the homeowners and will certainly negatively affect property values in the area.

- **Environmental Issues.** Large apartment buildings create environmental issues in their neighbourhoods. The first is noise generated by heavy traffic, the comings and goings of the residents, along with moving vans, deliveries, and garbage pickup. The second is light. It is expected that the parking lot, the entrances, and the fire exits will all be lit through the dark hours. The apartments and balconies will also have lighting which will shine out and be visible from the outside. The noise and light will impose a disruption to the lives of those who live in our generally quiet and dark neighbourhood, especially for those houses adjacent to the proposed project, and those (like ours) along Victoria and North and South Adelaide Streets. The third issue is snow removal. The site plan does not appear to have any space to store the snow from the parking lot. This means that every time it snows more than a few centimetres, the neighbourhood will be subjected to the noise and dangers of working loaders, while South Adelaide and its residents will have to bear the noise, hazards and infrastructure damage of large dump trucks hauling snow.

This development should not be permitted. We understand that there is a need for more housing in our town, but that does not mean that new development should be approved by the town at the expense of established neighbourhoods. Our neighbours own their homes. They have purchased and maintain their houses to continue living in an area with a safe and comfortable ambience. Everyone understands that there will be changes, and that the lot at 155 East Victoria will eventually be redeveloped. However, it is the duty of the Town Council and its Committees to manage new developments within the parameters of the Bylaws and Policies in a way that puts the interests of those residents who have made large, long term investments in their neighbourhoods and in this Town over the interests of developers who don't care to understand Amherst and what it is about our town that makes us choose to live here.

Very sincerely

Charles Shewfelt

(902) 667 5140

charlessshewfelt@hotmail.com

Carol McCall

Cindy Brown

From: Anna Arbuckle <anna.arbuckle2@gmail.com>
Sent: January 26, 2023 10:26 AM
To: Cindy Brown
Subject: Proposed development on 155 E. Victoria

Thank you for your email, Cindy.

My husband and I did submit a letter after the public meeting on January 18.
Just a few more comments for the planning committee and town council.

After viewing the plan in more detail, we realized that we will definitely be affected by the shadow that this building will project. We would like to know approximately how many hours a day that this shadow will dwarf our property.
The absence of light, particularly in the winter will certainly affect our health and well being. We are concerned about this aspect of the development.

The hill topography, narrow street and no sidewalks on South Adelaide is also a major concern for us. This development would definitely amplify vehicular traffic on our street. There would be vehicles exiting from East Victoria, and the development onto South Adelaide as well as vehicles entering South Adelaide from Prince Arthur.

The road system on our street and surrounding areas cannot accommodate the vast increase of traffic that will occur because of this building.

Noise, absence of light as well as light pollution from the units at night will have a negative impact on us. We are concerned.

We want council to know that we are not against developing this property, however our neighborhood deserves a more appropriate building than the one proposed.

We ask that the planning committee and our town council table or delay rezoning this lot until more information is gathered and analyzed.

Thank you. Respectfully,

Anna Arbuckle
Dennis Arbuckle

Cindy Brown

From: Max Davidson <allan.r.davidson2@outlook.com>
Sent: January 25, 2023 4:59 AM
To: Cindy Brown
Subject: Re: 155 East Victoria Street Development Application

Good morning Cindy,

First I would like to thank you for forwarding this information regarding the "proposed apartment building at 155 East Victoria Street."

Perhaps it has already been brought to your attention the fact there appears to be glaring discrepancy on the page titled "SITE" where at the top, the building is described as consisting of 4 stories (i.e.: floors).

As such, all renderings, including the artist's, show the building consisting of 6 stories which does not include the parking garage on the East Victoria Street end of the building. In essence, this technically makes this a structure consisting of 6 ½ floors.

Yours respectfully,

Allan R. (Max) Davidson

IATA & ITMI Certified

Tel: 778-885-1257

or

902-664-4019

From: Cindy Brown <cbrown@amherst.ca>
Sent: January 24, 2023 10:35 AM
To: allan.r.davidson2@outlook.com <allan.r.davidson2@outlook.com>
Subject: 155 East Victoria Street Development Application

Good afternoon,

Thank you for attending the January 18, 2023 Public Participation Opportunity. Please find attached the application summary for a proposed apartment building at 155 East Victoria Street. Additional details regarding this and other current applications can be found at the "Current Applications" section of the Town of Amherst website or by clicking this link: <https://www.amherst.ca/current-applications.html>

The next step for the three applications that were discussed January 18th will be for the Planning Advisory Committee (PAC) to consider a recommendation to Council. The PAC meeting is scheduled for Monday, February 6th at 4:30 p.m. in Council Chambers, Town Hall. This meeting is open to the public; however, there is no opportunity for the public to address the PAC. Members of the PAC have access to a video recording, written minutes, and a staff summary of public comments made at the January 18 meeting. All written comments will also be part of the PAC information package.

Additional written comments with regard to any of the three applications discussed at the January 18 meeting can be submitted by replying to this email or by dropping them off at the payments desk at Town Hall. Comments must be received no later than Monday, January 30, 2023 at 4:30 p.m. in order to be part of the PAC package.

Thank You,

Cindy Brown
Administrative Assistant
Town of Amherst
Ph: 902-667-6527
Email: cbrown@amherst.ca
www.amherst.ca | #seewhyweloveit



We acknowledge that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. We celebrate 400+ years of African Nova Scotian descent. We strive to foster a diverse community that values everything that makes us unique including our visible differences, such as race or gender expression, as well as our non-visible differences, such as gender identity and diversity of thought. We are committed to equity, fairness and dignity for all.

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SYNOPSIS

Community Arts Council Committee Policy Repeal

The Community Arts Council Committee was formed after the development of the Arts and Culture Strategy in 2007. Once the initial work of the Committee was completed it no longer continued to function. Repealing the Community Arts Council Committee policy is now required to officially remove this committee from the Town committee structure.

The repeal this policy no way reflects an unwillingness to support the arts of our community. The policy as it exists is not current to reflect our existing structures, and the committee it governed no longer exists in any form. Councillor Fawthrop and staff are currently working with various members of the Artistic community to host a general meeting to inform actions and gain input on future initiatives. There are also plans underway to look at Arts recognition in a meaningful way.

MOTION:

That Council repeal the Community Arts Council Committee Policy.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Sharon Bristol Director, Community Living

DATE: February 27, 2023

SUBJECT: **Community Arts Council Committee Policy Repeal**

ORIGIN: This policy was formed after the Arts and Culture strategy of 2007. The committee has not functioned in several years.

LEGISLATIVE AUTHORITY: MGA 47 (1) The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

RECOMMENDATION: That Council repeal the Community Arts Council Committee Policy.

BACKGROUND: This CAC committee has not been functioning for several years. It was formed after the development of the Arts and Culture strategy in 2007.

DISCUSSION: Although the recommendation to repeal this policy is suggested it in no way reflects an unwillingness to support the arts of our community. The policy as it exists is not current to reflect our existing structures. The committee it governed no longer exists in any form. Councillor Fawthrop and staff are currently working with various members of the Artistic community to host a general meeting to inform actions moving forward. There are also plans underway to look at Arts recognition in a meaningful way.

FINANCIAL IMPLICATIONS: None

SOCIAL JUSTICE IMPLICATIONS: None

ENVIRONMENTAL IMPLICATIONS: None

COMMUNITY ENGAGEMENT: Community engagement will continue with the Arts community to determine how their interests can be best supported and promoted moving forward.

ALTERNATIVES: 1 Keep the policy
2 Defer to next month

ATTACHMENTS: Community Arts Council Committee Policy

Report prepared by: Sharon Bristol, Director of Community Living
Report and Financial approved by:



DEPARTMENT: Community and Economic Development

TITLE: **Community Arts Council Committee Policy**

Minutes reference date: 26 March 2012 25 June 2012

PURPOSE:

To establish a policy for the governance of the Community Arts Council (CAC) Committee to carry out the Arts, Culture and Heritage Strategy.

BASIS:

The basis for the CAC Committee comes from the Town's Arts Culture and Heritage Strategy known as Authentically Amherst.

ROLE OF COMMITTEE:

The role of a Community Arts Council Committee is to:

1. Provide advice to the Arts, Culture and Heritage Coordinator;
2. Assist the Coordinator in the implementation of the Arts, Culture & Heritage Strategy;
3. Monitor and evaluate and make recommendations concerning all the Town's plans and policies which are expected to have an impact on cultural life in the community;
4. Increase communication and cooperation amongst the community stakeholders;
5. Take leadership in setting community arts direction;
6. Take an active role in promotion of the arts, culture and heritage community;
7. To act as a liaison between Council and the cultural community;
8. To act as an informed resource for staff and Council by responding to requests for information or advice.

MEMBERSHIP:

1. The Council shall appoint members to the Community Arts Council Committee by resolution.

DEPARTMENT: Community and Economic Development

TITLE: **Community Arts Council Committee Policy**

Minutes reference date: 26 March 2012 25 June 2012

2. Membership shall include:
 - 2 members of Town Council
 - 5 members at large up to 2 from outside the Amherst geographic boundary, but based in Cumberland County)
 - 1 member for the hospitality/accommodation sector
 - 1 member from Amherst Youth Town Council
 - The Mayor will be appointed as an ex-officio member.
 - The Director of Community and Economic Development will be a non-voting member and will participate in meetings as required.
3. The term for public members shall be two or three years, and members may be re-appointed to the Committee.
4. In January of each year, an advertisement for the public member(s) whose term is set to expire that fiscal year shall be placed in the local newspaper.
5. At the beginning of the first meeting of the fiscal year the Committee will elect a chairperson as well as a vice-chairperson. Terms for such shall be one year. The chairperson and vice-chair may be re-elected.

STAFF RESOURCES:

1. The Arts, Culture and Heritage Coordinator is responsible for all functions of the Committee including:
 - a. Calling meetings;
 - b. Taking minutes;
 - c. Distributing reports and other information as required;
 - d. Notifying and contacting public as required; and
 - e. Providing Committee motions to the Chief Administrative Officer for inclusion on the Council agenda.
2. Where additional information or work is required of staff by the Committee the Director of Community and Economic Development will be responsible for prioritizing staff resources, in conjunction with the Chief Administrative Officer when required.
3. Meetings are to be attended by the Arts, Culture and Heritage Coordinator or designate. At the discretion of the Coordinator, other staff may be invited / asked to attend as well. Standing invitations to Committee meetings will be given to the Chief Administrative Officer, the Director of Transportation and Public Works, the Director of Planning and Development and the Director of Community and Economic Development.

DEPARTMENT: Community and Economic Development

TITLE: **Community Arts Council Committee Policy**

Minutes reference date: 26 March 2012 25 June 2012

MEETINGS:

1. Meetings will be scheduled by the Chairperson in consultation with the Arts, Culture and Heritage Coordinator.
2. All meetings are open to the public
3. Meeting agenda packages are to be delivered to Committee members and the CAO at least 48 hours prior to any scheduled meeting.

Amherst Town Council may at any time by resolution repeal this policy and therefore release the committee members of their obligations as members.

SYNOPSIS

COVID-19 Property Tax Financing Program Policy Repeal

This policy was implemented in the fall of 2020 to allow the Town to offer an extended payment for 2020/21 taxes to customers whose account was in good standing. The extended payment plan charged customers interest of 1.35% per year and a term of 30 months to reimburse the Town.

As part of the policy review, this policy is recommended to be repealed as the payment terms relating to this policy ended in January 2023.

MOTION:

That Council repeal the COVID-19 Property Tax Financing Program Policy.



AMHERST TOWN COUNCIL

RFD# 2023009

Date: February 27, 2023

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Sarah Wilson, Director of Finance

DATE: February 27, 2023

SUBJECT: Policy Review – COVID-19 Property Tax Financing Program Policy

ORIGIN: Policy Review.

LEGISLATIVE AUTHORITY: Town of Amherst COVID-19 Property Tax Financing Program Policy, # 3800-05

RECOMMENDATION: That Council repeal the COVID-19 Property Tax Financing Program Policy.

BACKGROUND: As part of the policy review, this policy is recommended to be repealed as the payment terms relating to this policy ended in January 2023.

DISCUSSION: This policy was implemented in the fall of 2020 to allow the Town to offer an extended payment for 2020/21 taxes to customers whose account was in good standing. The extended payment plan charged customers interest of 1.35% per year and a term of 30 months to reimburse the Town.

There were four customers who took part in this program. One left the program within the first four months (paid off taxes) and the other three stayed for the duration of the program. The Town earned a total of \$2,193.01 in interest from this program over the 30 months. The final payments for the COVID-19 Property Tax Financing Program were made on January 10, 2023.

FINANCIAL IMPLICATIONS: There are no financial implications to repeal this policy.

COMMUNITY ENGAGEMENT: No community engagement required.

ENVIRONMENTAL IMPLICATIONS: No environmental implications.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications to this decision.

ALTERNATIVES: Program is complete, no alternatives.

ATTACHMENTS: COVID-19 Property Tax Financing Program Policy, # 3800-05.

Report prepared by: Sarah Wilson, Director of Finance Report and Financial approved by:



DEPARTMENT: CORPORATE SERVICES

TITLE: **COVID-19 Property Tax Financing Program Policy**

Minutes reference date: September 28, 2020 July 10, 2020 May 25, 2020

1. This Policy is entitled the “COVID-19 Property Tax Financing Program Policy.”

2. **Objective:**

The Town of Amherst is concerned about the health and safety of residents. The Town of Amherst recognizes that facilitating the payment of property taxes in installments will better allow citizens of Amherst to follow the public health directives endorsed by the Government of Nova Scotia. This Policy responds to that need by establishing a one-time property tax installment payment program (the “Program”) for owners of residential and commercial properties negatively affected by the COVID-19 global pandemic.

3. **Authority:**

Sections 111 and 112 of the *Municipal Government Act* give Council the authority to provide for the payment of taxes by installments.

Section 113 of the *Municipal Government Act* allows Council to charge interest for non-payment of taxes when due, at a rate determined by policy.

4. **Scope:**

4.1 Residential - The following owners of residential property are eligible to participate in the Program:

4.1.1 An owner of a residential property that is the owner’s primary residence, where the owner has experienced financial hardship through a significant reduction in income due to the State of Emergency declared by the Government of Nova Scotia in response to COVID-19, demonstrated through receipt of Provincial or Federal program assistance, or a Record of Employment (ROE) demonstrating layoff from employment after March 1, 2020;

4.1.2 An owner of a residential property where the owner was a registered Tourism Operator with Tourism Nova Scotia for the 2019 tourist season (excluding AirBNBs);

4.2 Commercial - The following owners of commercial property are eligible to participate in the Program:

4.2.1 An owner of a taxable commercial property where the property has a total taxable 2020 property assessment value equal to or less than \$2,000,000 and where the owner's business or building located on the property has experienced financial hardship through loss of sales related to the State of Emergency, demonstrated through the following:

4.2.1.1 For a business that was in operation before March 1, 2019 - that the sum of total sales for March, April and May of 2020 is less than 70% of the sum of total sales for March, April and May of 2019. The owner will be required to provide and certify a schedule of sales by month to support the application.

4.2.1.2 For a business that was established on or after March 1, 2019 – an analysis of all monthly sales from the inception of the business to May 31, 2020 clearly establishing loss of expected sales of 30% or more due to the State of Emergency for the period from March 1, 2020 to May 31, 2020. The analysis may be required to be supported by further documentation such as, but not limited to, cash flow projections prepared the purpose of obtaining financing at the time of establishing the business

4.2.2 An owner of a taxable commercial or resource property who has experienced financial hardship through loss of revenue related to the State of Emergency, regardless of the assessed value, where:

4.2.2.1 The owner of the property is a tourism operator registered under the *Tourist Accommodations Registration Act*;

4.3 Exclusions: Regardless of sections 4.1 and 4.2 of this policy, the following are not eligible to participate in the Program:

4.3.1 Property owners who have not experienced financial hardship through loss of revenue related to the State of Emergency;

4.3.2 Property owners who have received compensation from Business Interruption Insurance as a result of the State of Emergency;

4.3.3 Properties occupied by daycare centres in receipt of federal or provincial funding, or those in receipt of other emergency funding;

4.3.4 Properties used for landfill, pipeline, managed forest, parking, and commercial vacant land;

4.3.5 Properties for which there is an active tax agreement with the Town through legislation or bylaw;

4.3.6 Properties owned by non-profit organizations that are funded by the Town or that are partially exempted from property tax;

4.3.7 All properties managed under payment-in lieu-programs.

4.4 General Requirements

4.4.1 Installments shall be payable by the person, company or other entity assessed for the property for the current fiscal year.

4.4.2 In order for taxes for a property to qualify for the Program, the taxes for the property must not be in arrears at the time of application. For greater clarity, an account is not in arrears if it has a balance of \$0 or less in respect of prior years, or if the property owner has a signed payment arrangement and has fulfilled all obligations under the arrangement to the date of application.

4.5 Application

4.5.1 Property owners wishing to apply to participate in the Program for a property must complete and submit to the Town an application in the form as determined by the Town from time to time.

4.4.3 The application deadline to participate in the Program is October 31, 2020.

5. **Administration**

5.1 Tax Installments

5.1.1 For applications meeting the Program criteria set out above, property tax payments normally due between April 1st, 2020 and September 30th, 2020 for approved properties may be paid in installments as follows.

5.1.2 For each property, Program participants will pay tax installments as follows:

5.1.2.1 Payments of \$25 per month for six months, payable on or before the last day of each month, commencing in the month the property tax payment is normally due.

5.1.2.2 Following these six months at \$25 per month, 24 equal monthly payments to amortize the balance of the amount eligible for the Program including interest as set out below. These monthly payments are payable on or before the last day of each month and continue for 24 months.

5.1.4 The rate of interest for the Program will be 1.35% per year.

5.1.5 Interest on amounts owing under the Program will be calculated commencing on the date the property tax payment is normally due and continuing until all installments have been paid.

5.2 Terms of the Program

5.2.1 The Treasurer, or his or her delegate, shall approve qualifying applicants.

5.2.2 Payments under the Program must remain in good standing with the Town throughout the duration of the Program.

5.2.3 Default in payment of an installment when due will result in the following:

5.2.3.1 The balance of outstanding taxes on the applicable property and interest will become immediately due and payable; and

5.2.3.2 The outstanding taxes and interest then owing will become subject to the Town's regular rate of interest for overdue taxes of 12% per annum.

5.2.4 All amounts owing and payable on the property tax account that are not included in the Program, including existing signed payment arrangements, are due on their normal dates and any amounts not paid when due will be subject to the Town's regular rate of interest for overdue taxes of 12% per annum.

5.2.5 Payments received by the Town from a property owner will first be applied to any installments due under the Program, in priority to any other taxes or other amounts owing by the owner to the Town.

6. Responsibilities

6.1 Council will:

7.1.1 Monitor the implementation and administration of this policy and make any amendments required for the effective and efficient operation of the Program.

7.2 The Chief Administrative Officer will:

7.2.1 Be responsible for the administration and implementation of this policy and the Program; and

7.2.2 Identify necessary amendments to this policy in consultation with Council and managerial staff and make recommendations accordingly to Council.

7. General Provisions

Payments received by mail are deemed to be paid on the date received by the Town.

SYNOPSIS

Downtown Business Advisory Committee Policy Repeal

In May 2012 this Policy was established to set out guidelines for membership of the Downtown Business Advisory Committee. The Committee was created to act as a voice for the downtown business community and a conduit to Amherst Town Council. Three years after it was formed, the Committee felt its role had become unnecessary and recommended that it be disbanded. The committee has not met since that time.

In 2022 a group of downtown business owners and operators formed their own Amherst Downtown Business Association with similar priorities as the original Downtown Business Advisory Committee. Business Development and Community Living staff are engaging this association on an ongoing basis.

MOTION:

That Council repeal the Downtown Business Advisory Committee Policy 10350-23.

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Andrew Fisher, Director of Planning and Strategic Initiatives

DATE: February 27, 2023

SUBJECT: Downtown Business Advisory Committee Policy

ORIGIN: Council Priority to review all Committees and Bylaws of Council.

LEGISLATIVE AUTHORITY: MGA 48(3) In addition to matters specified in this Act or another Act of the Legislature, the council may adopt policies on any matter that the council considers conducive to the effective management of the municipality.

RECOMMENDATION: That Council repeal the Downtown Business Advisory Committee Policy 10350-23.

BACKGROUND: In May 2012 the Downtown Business Advisory Committee Policy was established to set out guidelines for membership of the Downtown Business Advisory Committee. The Committee was created to act as a voice for the downtown business community in Amherst and a conduit to Amherst Town Council. The Committee was to consist of 5-7 members of the business community, the Mayor and two members from Council, and economic development staff as non-voting members.

Three years after forming the committee, the Downtown Business Advisory Committee felt its role became unnecessary and recommended in its last council update in June 2015 that it be disbanded. The committee has not met since this recommendation.

DISCUSSION: In 2022 a group of downtown business owners and operators formed the Amherst Downtown Business Association with similar priorities as the original Downtown Business Advisory Committee by liaising between business and community, hosting events and supporting Town events, and partnering with local organizations. Their mission statement is to, 'work as a collective voice to promote and grow our community' with a vision of a 'revitalized historical downtown that is unique and welcoming, and fosters growth of our community.' While this group is not a 'committee of Council', Business Development and Community Living staff are engaging the association on an ongoing basis.

FINANCIAL IMPLICATIONS: There are no financial implications related to this issue.



AMHERST TOWN COUNCIL

RFD# 2023014

Date: February 27, 2023

COMMUNITY ENGAGEMENT: Staff will continue to engage the Amherst Downtown Business Association.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications.

SOCIAL JUSTICE IMPLICATIONS: Supporting the newly formed Amherst Downtown Business Association continues to foster the conditions to facilitate business development.

ALTERNATIVES:

1. Council does not repeal the policy
2. Council does not repeal the policy and proposes amendments
3. Council defers a decision pending more information

ATTACHMENTS: Downtown Business Advisory Committee Policy

Report prepared by: Jeff Bacon, Business Development Officer
Report and Financial approved by: N/A



DEPARTMENT: Community and Economic Development

TITLE: **Downtown Business Advisory Committee Policy**

Minutes reference date: 28 May 2012

PURPOSE:

The Downtown Business Advisory Committee is the voice for the downtown business community in Amherst and the conduit to Amherst Town Council. The Committee shall:

- 1) Provide advice and guidance to Town Council on matters including policies and programs related to the downtown;
- 2) Suggest and recommend to Town Council ways the Town can support, retain and/or attract business investment to the downtown core;
- 3) Assist in dissemination of information from the Town Council to the downtown business community;
- 4) Assist in coordinating existing and planned downtown projects, initiatives, marketing programs and other new opportunities to increase use of Downtown Amherst.

DEFINITIONS:

- 1) The Downtown Business Advisory Committee area is defined in the map attached as appendix "A".

ROLE OF COMMITTEE:

- 1) To strengthen and enhancing pride in the downtown by Amherst residents;
- 2) To provide support on specific opportunities and projects as requested by Council;
- 3) To advise on promotional and marketing opportunities that will increase traffic to downtown businesses and motivate participation by all stakeholders;
- 4) To act as an informed resource for Council by responding to requests for information or advice sent directly to the Advisory Committee by Council;
- 5) To participate in, monitor and regularly evaluate and/or make recommendation on all the Town's plans and policies which are expected to have an impact on the downtown;

DEPARTMENT: Community and Economic Development

TITLE: **Downtown Business Advisory Committee Policy**

Minutes reference date: 28 May 2012

- 6) To act as a liaison between Council and the downtown community by anticipating and responding to the information needs of both.

MEMBERSHIP:

Council shall appoint members to the Downtown Business Advisory Committee by resolution. The Committee will include:

- 1) At least five (5) members and no more than seven (7) members at large from the downtown business community;
- 2) Two (2) members of Amherst Town Council;
- 3) The Mayor will be appointed as an ex-officio member;
- 4) The Director of Community and Economic Development will be a non-voting member and will participate in meetings as required.

The following is the criteria for members:

- 1) Members at Large must be business owners or managers or designates doing business in the Downtown Core Area District;
- 2) Members need to demonstrate a positive attitude on growing the downtown and be willing ambassadors promoting the downtown to Amherst residents and visitors alike.
- 3) Members from Amherst Town Council will be appointed every two years.

At the beginning of the first meeting of each fiscal year the Committee will elect a chairperson as well as a vice-chairperson. Terms for such shall be one year. The chairperson and vice chairperson may be re-elected.

Members will be appointed as required for either two or three year terms effective April 1st of that year on the Committee.

DEPARTMENT: Community and Economic Development

TITLE: **Downtown Business Advisory Committee Policy**

Minutes reference date: 28 May 2012

MEMBER RESPONSIBILITIES:

- 1) Take the leadership role in planning initiatives, events and promotions in support of downtown business;
- 2) Help identify problems or issues the Town needs to deal with to assist downtown business;
- 3) Help identify opportunities and leads for potential new business investment for the downtown;
- 4) Facilitate and lead in the implementation of the Centre First – Downtown Amherst Action Strategy;
- 5) Consult with relevant downtown stakeholders regarding issues and opportunities related to growing Downtown Amherst;
- 6) Report to Council regarding the status of the Centre First – Downtown Amherst Action Strategy and other initiatives carried out in support of Downtown Amherst.

MEETINGS:

- 1) Meetings will be scheduled by the Chairperson in consultation with the Director of Community and Economic Development;
- 2) All meetings are open to the public;
- 3) Meeting agenda packages are to be delivered to Committee members and the CAO at least 48 hours prior to any scheduled meeting.

APPLICATION PROCESS FOR APPOINTMENTS FROM THE PUBLIC:

- 1) In January of each year, if any terms are about to expire or vacancies have occurred, advertisements will be posted in the local media and the Town's website requesting expressions of interest from the public to serve on the Downtown Business Advisory Committee.

DEPARTMENT: Community and Economic Development

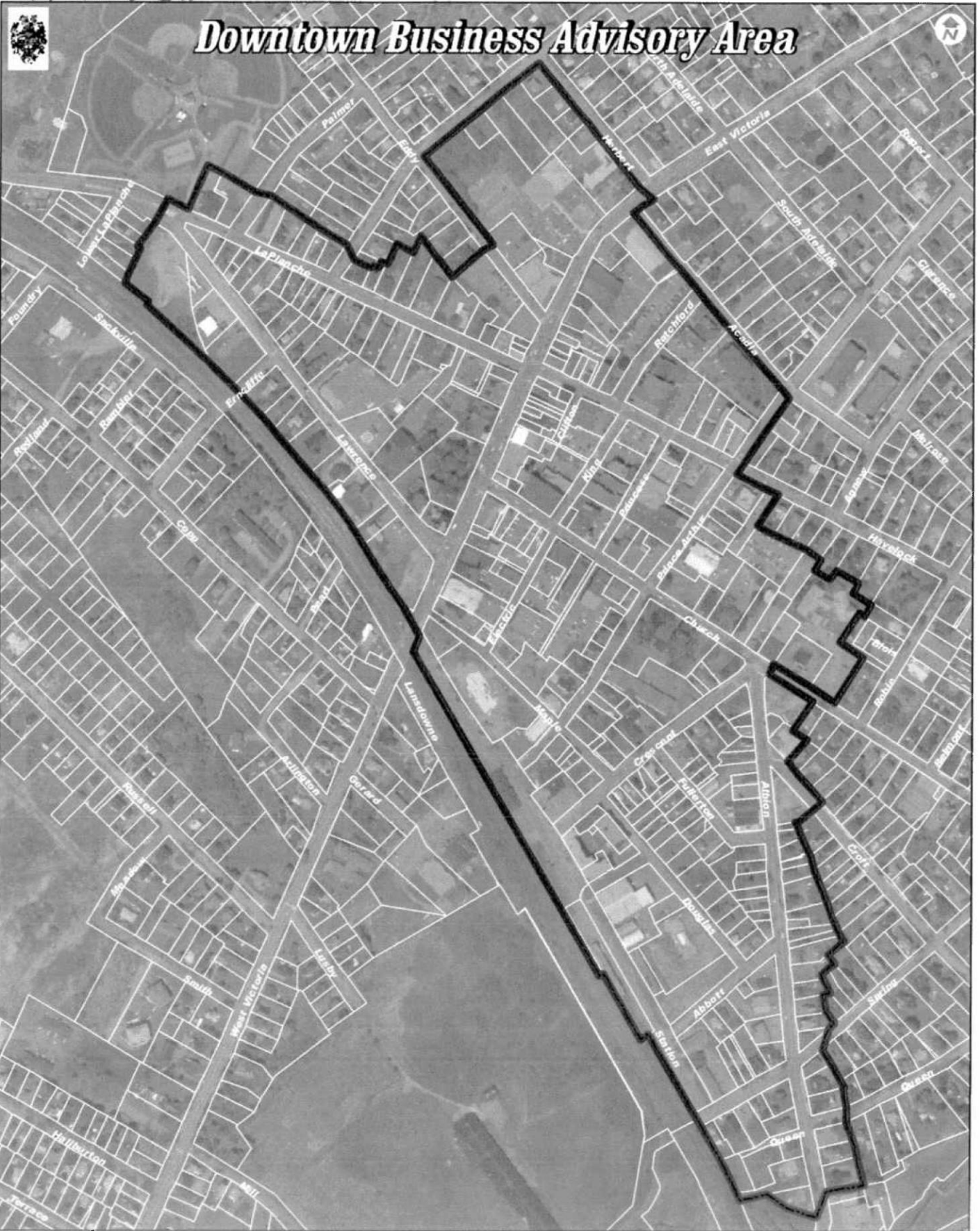
TITLE: **Downtown Business Advisory Committee Policy**

Minutes reference date: 28 May 2012

- 2) All expressions of interest will be reviewed by the Committee and a recommendation made to Amherst Town Council for appointments.

Amherst Town Council may at any time by resolution repeal this policy and therefore release the committee members of their obligations as members.

APPENDIX "A"



SYNOPSIS

Community Support Grants Policy Amendments

The Town of Amherst has been awarding community grants to individuals and organizations for many years. This places value in our community and ensures that non profit organizations are able to operate to support the individuals of our community. It also ensures that our community has a robust schedule of events that support participation of the community.

In September 2018 a new grant policy was adopted to offer “A” Fresh Grants. This created two streams of funding opportunities with different requirements from the applicants to be successful. The goal was to encourage new and innovative events to compliment the standard annual events held throughout town. Feedback from the community was that this created some confusion of what to apply for and overall made the process more cumbersome for applicants and staff to manage. Last year we did not receive any applications for the “A” Fresh stream of funding. In addition to this our involvement with the Municipal Alcohol project was encouraging the process to be more inclusive of family friendly events that reduce the consumption of alcohol. In keeping with our strategic priorities of inclusion, diversity and equity, accessibility and poverty reduction, it was felt by staff that we needed to revise the policy to reflect these values.

We will discontinue the “A” Fresh Grant program and roll the budget into the overall Community Support Grants. We are hoping that the amended policy will make the process less taxing on the non-profit sector who mostly consist of volunteers. In addition, other issues such as facility rental, a definition of poverty funding, complex financial statement requirements and caps on funding have been factored into the amended draft policy.

The overall financial commitment to grants to organizations is not impacted by changes to this policy. We will continue to support applications that enhance the overall wellbeing of the community and elevate the social determinants of health such as reducing food insecurity and providing opportunities to positively impact the health of our community.

Community engagement will continue as always in the outreach to community groups, sports teams and event organizers to apply for our grants.

MOTION:

That Council approve the amended Community Supports Grants Policy.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Sharon Bristol Director, Community Living

DATE: February 27, 2023

SUBJECT: **Community Support Grants Policy Amendments**

ORIGIN: Review of Policy prior to annual budget deliberations.

LEGISLATIVE AUTHORITY: MGA 47 (1) The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

RECOMMENDATION: That Council approve the amended Community Supports Grants Policy.

BACKGROUND: The Town of Amherst has been awarding community grants to individuals and organizations for many years. This places value in our community and ensures that non profit organizations are able to operate to support the individuals of our community. It also ensures that our community has a robust schedule of events that support participation of the community.

In September 2018 a new grant policy was adopted to offer “A” Fresh Grants. This created two streams of funding opportunities with different requirements from the applicants to be successful. The goal was to encourage new and innovative events to compliment the standard annual events held throughout town. Feedback from the community was that this created some confusion of what to apply for and overall made the process more cumbersome for applicants and staff to manage. Last year we did not receive any applications for the “A” Fresh stream of funding. In addition to this our involvement with the Municipal Alcohol project was encouraging the process to be more inclusive of family friendly events that reduce the consumption of alcohol. In keeping with our strategic priorities of inclusion, diversity and equity, accessibility and poverty reduction it was felt by staff that we needed to revise the policy to reflect these values.

DISCUSSION: It is recommended by staff that we discontinue the “A” Fresh Grant program and roll the budget into the overall Community Support grants. We are hoping that the amended policy will make the process less taxing on the non-profit sector who mostly consist of volunteers. In addition, other issues such as facility rental, a definition of poverty funding, complex financial statement requirements and caps on funding have been factored into the amended draft policy.

FINANCIAL IMPLICATIONS: The overall financial commitment to grants to organizations is not impacted by changes to this policy.





AMHERST TOWN COUNCIL

RFD# 2023011

Date: February 27, 2023

SOCIAL JUSTICE IMPLICATIONS: There is no detriment to the community at large. We will continue to support applications that enhance the overall wellbeing of the community and elevate the social determinants of health such as reducing food insecurity and providing opportunities to positively impact the health of our community.

ENVIRONMENTAL IMPLICATIONS: None

COMMUNITY ENGAGEMENT: Community engagement will continue as always in the outreach to community groups, sports teams and event organizers to apply for our grants. Also engaging in activities and follow up after event as required.

ALTERNATIVES:

- 1 Keep the policy as it exists
- 2 Send back for further review
- 3 Defer to March meeting

ATTACHMENTS:

- Amended Community Support Grants Policy
- Current Community Support Grants Policy

Report prepared by:

Report and Financial approved by:



DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: **COMMUNITY SUPPORT GRANTS POLICY**

Minutes reference date: 23 September 2013 27 October 2014 21 May 2015 25 June 2018 24 September 2018
28 October 2019 27 January 2020 25 October 2021

POLICY STATEMENT

- a. The Community Support Grants Policy guides the allocation of financial and in-kind contributions to non-profit or charitable organizations that are based in the Town of Amherst and are considered by Council to enhance the well-being and quality of life of Amherst residents.
- b. This program does not govern the following, which are separately administered:
 - i. Tax Exemption for Non-Profit Organizations (full and partial tax exemption by-laws);
 - ii. Residential Property Tax Rebates (low-income homeowners)

1. POLICY OBJECTIVES

The objectives of this policy are:

- a. to outline the requirements to apply and be considered for a Community Support Grant
- b. to establish equitable guidelines for the distribution of limited amounts of funds to non-profit and charitable organizations in a manner approved by Council.
- c. to ensure that groups applying for Community Support Grants are evaluated on a consistent, equitable basis, utilizing the same evaluation criteria; and
- d. to provide for public disclosure of a list of grant recipients and the amounts of those grants.

2. SCOPE

The Program includes financial grants in the form of cash and in-kind services (for use of municipal facilities, for example). The value of requests is not limited; however, applicants must be aware that:

- a. The application process is competitive;
- b. There are more grant applications received than available funding;
- c. Past funding commitments should not be interpreted as a guarantee that future requests will be approved. The Town is interested in ensuring that organizations are self-sufficient;
- d. Preference is given to new initiatives, but a promising event/project may receive, in its infancy, a grant for more than one year provided there is evidence that the event/project is developing successfully and is sustainable in the future without continued program support

3. EXCLUSIONS

The following are exclusions from the grant program:

- a. It is not the intent of this policy to fund activities of organizations that are clearly within the mandate of the Government of Nova Scotia (hospitals, medical programs, treatment services or social services programs) or the Government of Canada (e.g., health, social services)
- b. The Town of Amherst will not consider requests received as part of general (mass) mailing or telemarketing campaigns
- c. Funding applications will not be considered from the following:
 - i. Businesses;

- ii. Provincial Government organization
 - iii. School Boards or quasi government organizations;
 - iv. Non-profit organizations for the purpose of funding accumulated deficits;
 - v. Any organization for the purpose of fundraising to distribute to other organizations/individuals; and
 - vi. Organizations with political affiliations
- d. Funding will not normally be provided to religious organizations where services include the promotion or required adherence to a particular belief
 - e. Funding will also not normally be provided to fundraising campaigns of national charitable organizations
 - f. Funding will not normally be provided to organizations who are planning to give proceeds of the event to another organization.

4. ALLOCATION OF FUNDS

Council is not obligated to:

- a. Provide funding in the form of Community Support Grants;
- b. Spend all the funds allocated for grants in any given year;
- c. Award the full amount requested in an application; or
- d. Renew any grant

5. SPECIAL CONSIDERATION

The following Grants are provided annually, and the recipients must comply with the applicable requirements under the **application process** below. Failure to do so could result in future funding being suspended.

- a. Amherst Food Assistance Network
- b. Cumberland Early Intervention Program
- c. Sexual Health Centre for Cumberland County
- d. Cumberland County Transition House (Autumn House)
- e. Senior's Safety Advisory Committee
- f. Cumberland County Museum
- g. Amherst Little League Baseball Association
- h. Amherst Little League T-Ball Baseball
- i. NSCC Grant last payment fiscal 2021/22
- j. Maggie's Place

Council reserves the right to discontinue and/or alter funding for these organizations without notice. Council will ensure consideration is made to provide notice to applicants or a gradual decrease to the amounts above wherever possible. Support for these organization and the amounts are reviewed annually. It is anticipated that funding from the Town of Amherst is not the main source of funding for the above organizations.

6. LIMITATIONS

The following limitations apply to funding for the Programs listed below:

- a. Funding shall be limited to no more than 40% of overall costs for an event or program
- b. Funding will be provided for a maximum of five consecutive years.

- c. Funding cannot be used to purchase products regulated by the Liquor Control Act R.S., c. 260, s. 1. or the Cannabis Control Act 2018, c. 3, s. 1.
- d. An organization can only apply for funding under either the regular Community Grant or “A” Fresh start for the same activity, item or event. For example, an event cannot apply under “A” Fresh Start and under the Community Support Grant

7. PROGRAMS

The following are a list of the grants available:

1. A” Fresh Start

One annual intake with a maximum annual allocation \$35,000. See Appendix A.

2. Community Support Grants

a. Sport and Physical Activity

Maximum funding considered will be \$500 for a team and \$250 for an individual

- i. This includes amounts for teams traveling to Provincial, National and International competitions when the team or individual has been successful at a regional qualifying competition recognized by its relevant provincial or national umbrella organization (e.g. Hockey Nova Scotia or Skate Canada).
- ii. The team is in the Town of Amherst and is considered by the provincial or national umbrella organization to be the home for the team
- iii. The individual is competing as an individual and has their principal residence in the Town of Amherst.

b. Festivals and Events Grants

Less than 1,000 people anticipated to participate:

- i. Maximum funding considered under this component will be \$1,000
- ii. Must demonstrate broad community support; and
- iii. Provides an experience not duplicated by other ongoing events, festivals or activities.

More than 1,000 people participating:

- i. Maximum funding will be determined by Council but will not exceed \$5,000;
- ii. Draw spectators from the Maritimes, nationally or internationally and increases the profile of our community; and
- iii. Must be a minimum of three days in length and must be affiliated with a local community non-profit organization

c. Organizational Equipment

Operational and capital equipment purchase requests will be considered by Council to a maximum of \$500.

d. Community Well-Being

Funds have been allocated for initiatives that directly impact community well-being and result in a reduction in poverty in the community. The reporting requirements and limitations in section 8 apply to these grants. Applications will be considered up to a maximum of \$5,000.

8. APPLICATION PROCESS

The following outlines the application process:

- a. Applications may be submitted throughout the year
 - b. An annual callout occurs in October, with a submission deadline of December 31st
 - c. Council will only approve one application per year per group in addition to the "A" Fresh Start grant. Applications for "A" Fresh Start must be for new initiatives and must not include events applied for under the Community Support Grant process.
-
- a) Applications for amounts under \$1,000 must submit the following information
 - i. A complete Community Grant Application
 - ii. a proposed budget for the project
 - b) Applications for amounts over \$1,000 must submit the following information:
 - i. A complete Community Grant Application
 - ii. a proposed budget for the project.
 - iii. The most current financial statements of the organization designated to receive the grant funds in the application, as well as a budget for the upcoming year.
 - c) The Town of Amherst may request additional information.

9. APPROVAL PROCESS

- a. The follow outlines the approval process for applications:
 - i. Staff will review the applications to ensure the proper information has been provided. Applicants who have not provided proper information will be identified in the information provided for the Committee of the Whole meeting;
 - ii. Applications will be reviewed at Committee of the Whole for eligibility, evaluation and recommendation to Council;
 - iii. Council determines all grant levels per organization as per maximum allocations identified in number 9 above.
- b. Council retains the authority to provide amounts over the maximum amounts in unusual or special circumstances where it is in the Town's best interest to do so
- c. Following annual Council budget deliberations, successful applicants will be notified in writing of their grant amount, as well as any additional conditions that must be met by the applicant in order to receive the full amount of funding offered.
- d. Funding will be determined by council upon reviewing the proposal and recommendations from staff

11. AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

The Chief Administrative Officer (CAO) may approve applications submitted under section 8a, b, c, d of this policy that are \$500 and less, provided such applications qualify in accordance with this policy. Council will be notified by email upon approval of each application and a media release will be issued to communicate the support provided by the town under the application. A list of applications approved will be provided to Council quarterly. (March, June, September and December).

12. PAYMENT PROCESS

For amounts over \$1,000 payment will be made as follows:

- a. 75% at the time of award

- b. 25% at the time of receipt of the final report, including receipts. Reports must be received by no later than one year after the event/project is held

13. CONDITIONS

- a. Grant recipients shall:
 - i. Make no misrepresentation on their application
 - ii. Use the grant as described in the application
 - iii. Provide a final report after the completion of the activity
 - iv. Use the funds in the year granted
- b. Grant recipients receiving less than \$1,000 shall submit a final report once the activity has been completed within one year of the occurrence of the event The report shall include:
 - i. A copy of receipts for funding used
 - ii. An outline of the impact of the grant upon the organization and community
- c. Grant recipients receiving \$1,000 or more shall submit a final report once the activity has been within one year of the occurrence of the event The report shall include:
 - i. A copy of receipts for funding used
 - ii. An outline of the impact of the grant upon the organization and community
 - iii. The proposed project budget submitted with the original application with updates for actual revenue and expenditures
- d. Grant recipients shall keep proper books of accounts and receipts of all expenditures related to the project and shall make them available for inspection by the Town of Amherst upon request.
- e. Non-compliance in number 13 above, could result in no funding being awarded in the future year(s)
- f. Grant recipients are required to acknowledge the financial support of the Town of Amherst in all advertising, publicity, programs and signage for which funds are granted
- g. If the event/project does not occur for any reason, all grant monies must be returned
- h. Grant recipients who fail to comply with these conditions may be required to return all or partial funds to the Town of Amherst and may be deemed ineligible for Community Support Grant funding in future years.

14. PUBLIC DISCLOSURE

- a. The Town of Amherst will provide financial information with respect to the budgeted amounts disbursed and actual amounts disbursed on an annual basis
- b. A summary of grant awards will be posted on the Town of Amherst's website in accordance with s.65C(1) of the *Municipal Government Act*

Appendix A – “A” FRESH START – Maximum Annual Allocation \$35,000

This program is held once per year, with up to \$35,000 available.

1. Applications
 - a. Organizations may only be chosen once every two years
 - b. Application Deadlines
 - i. Application call-out in February of each year
 - ii. Public vote in May of each year
2. Qualifying applications
 - a. In order to qualify, the presentation, idea, or use of the money must be for creative, new events or initiatives. For example: a new cultural play, new event, festival, fundraising event with funds going back into Amherst and area
 - b. Normal ongoing operations of an organization do not qualify
3. Selection Process
 - a. A maximum of five finalists will be selected using an evaluation criteria
 - b. All qualifying applicants, are eligible to be one of the finalists reviewed by a staff committee and approved by Council at the April council meetings.
 - c. The five (or fewer) selected are required to present at the public event in May.
4. Presentations
 - a. The public meeting would be for 1 ½ hours at the Community Credit Union Business Innovation Centre
 - b. All presenters and public are welcomed to attend
 - c. Selected applicants are required to make presentations of 10 minutes each
5. Decision making
 - a. After all presentations are complete, members of the public will vote to rank the quality of the presentation
 - b. Council will review the applications immediately following the public event, taking into consideration the results of the presentation vote and other factors, and determine by vote final decision on funding to be allocated to the finalists
6. Awards
 - a. Up to \$35,000.00 to be awarded, but all finalists chosen receive an award
 - b. Public vote on the finalists. Council then votes on final ranking of all the finalists
7. Other
 - a. Those receiving grants will receive 80% of the funding granted in advance of their event with the remaining 20% issued after completion of a final report that must be presented to the Town following the completion of the event
 - b. Those receiving grants will have 12-months after the approval date to plan and execute the event.

- c. Council may decide to not award the full \$35,000.00. The remainder of the \$35,000.00 may be made available to Community Support Grants requests submitted throughout the year

Date: _____

REQUEST FOR FINANCIAL SUPPORT

1. ORGANIZATION INFORMATION:

Name of Organization: _____

Full Mailing Address: _____

Contact Person: _____

Email Address: _____

Telephone: _____

2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED \$ _____

3. What is the purpose for the funding requested? (Sport and Physical Activity, Festivals and events, Organizational Equipment, Community Well-Being etc.)

4. Please attach a budget for the tournament, event or activity; include sources of revenue and ALL costs. **Please attach all documents that support the funding request.**

5. What are the expected benefits to the community? (Event participation numbers; local, regional, provincial or national attraction; time span; community assets being used; support from business community)

6. Please list all funding sources and/or other community partners for this event:

NAME	FUNDING IF ANY

7. How many volunteers contribute to this event or festival: _____



98 Victoria Street East, P.O. Box 516, Amherst, Nova Scotia, Canada B4H 4A1

Phone: (902) 667-3352 Fax: (902) 667-5409

TITLE: Community Support Grants Policy
SECTION: All Town Departments
POLICY NO: 72000-08

New Amended Policy

APPROVAL DATE:

CAO Signature: _____

POLICY STATEMENT

- a. The Community Support Grants Policy guides the allocation of financial and in-kind contributions to non-profit or charitable organizations that are based in the Town of Amherst and are providing services that in the opinion of Council, are of a benefit to the residents and businesses of the Town. Applicants and Groups that actively support inclusion, diversity, accessibility and equity will be given priority consideration as will those applications that enhance community well-being and increase the social determinants of health, such as, but not limited to food insecurity, affordable housing, early childhood development, education, social inclusion and non-discrimination of the citizens of Amherst
- b. This program does not govern the following, which are separately administered:
 - i. Tax Exemption for Non-Profit Organizations (full and partial tax exemption by-laws);
 - ii. Residential Property Tax Rebates (low-income homeowners)

POLICY OBJECTIVES

The objectives of this policy are:

- a. to outline the requirements to apply and be considered for a Community Support Grant
- b. to establish equitable guidelines for the distribution of limited amounts of funds to non-profit and charitable organizations in a manner approved by Council.
- c. to ensure that groups applying for Community Support Grants are evaluated on a consistent, equitable basis, utilizing the same evaluation criteria; and
- d. to provide for public disclosure of a list of grant recipients and the amounts of those grants.

1. SCOPE

The Program includes financial grants in the form of cash and in-kind services (for use of municipal facilities, for example). The value of requests is not limited; however, applicants must be aware that:

- a. The application process is competitive;
- b. There are more grant applications received than available funding;
- c. Past funding commitments should not be interpreted as a guarantee that future requests will be approved. The Town is interested in ensuring that organizations are self-sufficient;
- d. The Town would like to support programs and events that promote community well being and health and safety of our citizens. With that in mind, events based on alcohol consumption (beer gardens, wine tasting tours etc.) may only receive support if other community benefits can be shown. Overall, the Town will show preference to events that are family friendly and support the overall well being of the community.

2. EXCLUSIONS

The following are exclusions from the grant program:

- a. While Council reserves the right to, it is not the intent of this policy to fund activities of organizations that are clearly within the mandate of the Government of Nova Scotia (hospitals, medical programs, treatment services or social services programs) or the Government of Canada (e.g., health, social services)
- b. The Town of Amherst will not consider requests received as part of general (mass) mailing or telemarketing campaigns

TITLE: Community Support Grants Policy
SECTION: All Town Departments
POLICY NO: 72000-08

New Amended Policy

- c. Funding applications will not be considered from the following:
 - i. Businesses;
 - ii. Provincial Government organizations;
 - iii. School Boards or quasi government organizations;
 - iv. Non-profit organizations for the purpose of funding accumulated deficits;
 - v. Any organization for the purpose of fundraising to distribute to other organizations/individuals; and
 - vi. Organizations with political affiliations.
- d. Funding will not normally be provided to religious organizations where services include the promotion or required adherence to a particular belief
- e. Funding will also not normally be provided to fundraising campaigns of national charitable organizations either directly or indirectly.
- f. Funding will not normally be provided to organizations who are planning to give proceeds of the event to another organization.

3. ALLOCATION OF FUNDS

Council is not obligated to:

- a. Provide funding in the form of Community Support Grants;
- b. Spend all the funds allocated for grants in any given year;
- c. Award the full amount requested in an application; or
- d. Renew any grant

4. SPECIAL CONSIDERATION

The following organizations are usually supported annually; however, the recipients must still comply with the applicable requirements under the **application process** below. Failure to do so could result in future funding being suspended:

- a. Amherst Food Assistance Network
- b. Cumberland Early Intervention Program
- c. Sexual Health Centre for Cumberland County
- d. Cumberland County Transition House (Autumn House)
- e. Senior's Safety Advisory Committee
- f. Cumberland County Museum
- g. Amherst Little League Baseball Association
- h. Amherst Little League T-Ball Baseball
- i. Maggie's Place

Council reserves the right to discontinue and/or alter funding for these organizations without notice. Council will ensure consideration is made to provide notice to applicants or a gradual decrease to the amounts above wherever possible. Support for these organization and the amounts are reviewed annually. It is anticipated that funding from the Town of Amherst is not the main source of funding for the above organizations.

TITLE: Community Support Grants Policy
SECTION: All Town Departments
POLICY NO: 72000-08

New Amended Policy

5. GUIDELINES

The following guidelines apply to all grant requests except those listed in 4 above:

- a. Funding will generally be limited to no more than 40% of overall costs for an event or program
- b. Funding cannot be used to directly purchase products regulated by the Liquor Control Act R.S., c. 260, s. 1. or the Cannabis Control Act 2018, c. 3, s. 1.
- c. Preference is given to new initiatives; however, grants may be provided in multiple years for the same initiative.

6. PROGRAMS

The following are a list of the grants available:

a. Sport and Physical Activity

Maximum funding considered will be \$500 for a team and \$250 for an individual:

- i. This includes amounts for teams traveling to Provincial, National and International competitions when the Amherst based teams or individual has been successful at a regional qualifying competition recognized by its relevant provincial or national umbrella organization (e.g., Hockey Nova Scotia or Skate Canada);
- ii. The team is in the Town of Amherst and is considered by the provincial or national umbrella organization to be the home for the team;
- iii. The individual is competing as an individual and has their principal residence in the Town of Amherst.
- iv. The Town of Amherst resident has been selected / qualified to represent the Province of Nova Scotia or Canada at a national or international competition such as the Olympics or the Canada Games.

b. Festivals and Events Grants

- i. Maximum funding considered under this component will generally not exceed \$5,000;
- ii. Event must demonstrate broad community support;
- iii. Provides an experience not duplicated by other ongoing events, festivals or activities.
- iv. Draw spectators locally, from the Maritimes, nationally or internationally and increases the profile of our community;
- v. Must be affiliated with a local community non-profit organization.

c. Organizational Equipment

Operational and capital equipment purchase requests will be considered on an individual basis.

TITLE: Community Support Grants Policy
SECTION: All Town Departments
POLICY NO: 72000-08

New Amended Policy

d. Funding for Poverty Reduction Initiatives

For the purposes of this policy, "Poverty Reduction Funding" is defined as the annual funding allotment within the Community Support Area Rate (currently 0.25 of the 1.25% deed transfer tax), including any reserves for this purpose, to be used for initiatives that specifically target poverty reduction or specifically reduce the impacts of poverty on individuals or the community. All applications which Council feels meet this definition and for which Council is considering funding from the annual Poverty Reduction Funding allotment or associated reserves set aside for this purpose will be referred to the Poverty Reduction Action Committee for a recommendation.

Notwithstanding the above, Council reserves the right to fund such poverty initiatives from other sources in addition to or in lieu of the annual Poverty Reduction Funding allotment.

e. Large Scale Projects

Applications for large scale projects (generally greater than \$5,000 or multi-year initiatives) will be evaluated on an individual basis. In these cases, Council may require Municipal representation on a board, the development of an MOU and/or other reporting requirements etc.

7. APPLICATION PROCESS

The following outlines the application process:

A call out for applications will be issued by the Town in the months leading up to budget time. Community organizations will be encouraged to apply during this initial call out however applications can and will be received throughout the year and be considered based on budget availability.

Community groups may submit more than one application per year however Council will prioritize funding over a diverse collection of applications to ensure fairness and equity for all.

- a) Applications - must submit the following information
 - i. A complete Community Grant Application
 - ii. a proposed budget for the project

- b) The Town of Amherst may request additional information as deemed necessary.

8. APPROVAL PROCESS

- a. For applications over \$1,000 staff will review applications, ensure requirements have been met and make recommendations to Council. Funding will be determined by council upon reviewing the proposal and recommendations from staff.

9. AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

The Chief Administrative Officer (CAO) may approve applications that are less than \$1000 provided such applications qualify in accordance with this policy. Council will be notified by email upon approval of each application and a media release will be issued to communicate the support provided

TITLE: Community Support Grants Policy
SECTION: All Town Departments
POLICY NO: 72000-08

New Amended Policy

by the Town under the application. A list of applications approved will be provided to Council quarterly. (March, June, September and December).

The CAO may waive the cost for Town owned facility rentals for organizations carrying out an event or service that satisfies the intent of this policy to a maximum of four rental waivers per year per organization.

10. PAYMENT PROCESS

For amounts over \$1,000 payment will be made as follows:

- a. 75% at the time of award
- b. 25% at the time of receipt of the final report, including receipts. Reports must be received by no later than one year after the event/project is held

11. CONDITIONS

- a. Grant recipients shall:
 - i. Make no misrepresentation on their application
 - ii. Use the grant as described in the application
 - iii. Use the funds in the year granted
 - iv. Council and/or the CAO may request an in-depth report for grants over \$5,000 at their discretion
- b. Grant recipients shall keep proper books of accounts and receipts of all expenditures related to the project and shall make them available for inspection by the Town of Amherst upon request.
- c. Non-compliance, in any aspect could result in no funding being awarded in the future year(s)
- d. Grant recipients are required to acknowledge the financial support of the Town of Amherst in all advertising, publicity, programs and signage for which funds are granted
- e. If the event/project does not occur for any reason, all grant monies must be returned
- f. Grant recipients who fail to comply with these conditions may be required to return all or partial funds to the Town of Amherst and may be deemed ineligible for Community Support Grant funding in future years.

12. PUBLIC DISCLOSURE

- a. The Town of Amherst will provide financial information with respect to the budgeted amounts disbursed and actual amounts disbursed on an annual basis
- b. A summary of grant awards will be posted on the Town of Amherst's website in accordance with s.65C(1) of the *Municipal Government Act*

TITLE: Community Support Grants Policy
SECTION: All Town Departments
POLICY NO: 72000-08

New Amended Policy

Application for Funding

Date: _____

REQUEST FOR FINANCIAL SUPPORT

REQUEST FOR IN-KIND FACILITY RENTAL

1. ORGANIZATION INFORMATION:

Name of Organization: _____

Full Mailing Address: _____

Contact Person: _____

Email Address: _____

Telephone: _____

2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED \$ _____

Total cost of program event or activity \$ _____

3. What is the purpose for the funding requested? (Sport and Physical Activity, Festivals and events, Organizational Equipment, Community Well-Being etc.)

4. Please attach a budget for the tournament, event or activity; include sources of revenue and ALL costs. **Please attach all documents that support the funding request.**

5. What are the expected benefits to the community? (Event participation numbers; local, regional, provincial or national attraction; time span; community assets being used; support from business community)

6. Please list all funding sources and/or other community partners for this event:

NAME	FUNDING IF ANY

7. How many volunteers contribute to this event or festival: _____



98 East Victoria Street, PO Box 516, Amherst, NS, Canada B4H 4A1
 Phone: 902-667-3352 Fax 902-667-5409

TITLE: Community Support Grants Policy
SECTION: All Town Departments
POLICY NO: 72000-08

New Amended Policy

APPLICATION

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Director Community Living	To ensure adherence to the policy. Advise staff of Policy changes and create awareness in the community of policy changes.
Mayor and Council	Review and approve applications as required.
CAO	Ensure applications under \$1,000 are reviewed and decision made in accordance with policy.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
Amendments to policy to collapse A fresh grants, streamline application process, increase CAO approval limit, inclusion of MAP requirements, rewording to ensure policy is more inclusive and promotes community well-being	Director Community Living, Bristol	Council	February 27, 2023

Minutes reference date: 23 September 2013 27 October 2014 21 May 2015 25 June 2018 24 September 2018
 28 October 2019 27 January 2020 25 October 2021

SYNOPSIS

8/10 Prince Arthur Street Transfer of Ownership

Council acquired the subject property at tax sale with the view to make it available for affordable and/or supportive housing. The Cumberland Homelessness and Housing Support Association have requested that ownership be transferred to them for a project called "Cornerstone" that will repurpose the property to contain affordable apartments, overnight accommodations, a resource room, kitchen and office space for administration and support services.

Transfer of ownership to the Cumberland Homelessness and Housing Support Association will allow the much-needed Cornerstone facility to become a reality.

MOTION:

That Council approve of the ownership transfer of 8/10 Prince Arthur Street to the Cumberland Homelessness and Housing Support Association, direct staff to have the Town's solicitor prepare the necessary legal documents, and authorize the Mayor and CAO to sign the documents.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Andrew Fisher, Director of Planning & Strategic Initiatives

DATE: February 27, 2023

SUBJECT: **8/10 Prince Arthur Street Property – Transfer of Ownership**

ORIGIN: November 2022 recommendation from the Poverty Reduction Advisory Committee to transfer ownership of 8/10 Prince Arthur Street to the Cumberland Homelessness and Housing Support Association.

LEGISLATIVE AUTHORITY: Municipal Government Act (MGA), section 51 (1) *A municipality may sell or lease property at a price less than market value to a non-profit organization that the council considers to be carrying on an activity that is beneficial to the municipality. (3) Where the council proposes to sell property referred to in sub-section (1) valued at more than ten thousand dollars at less than market value, the council shall first hold a public hearing respecting the sale.*

RECOMMENDATION: That Council approve of the ownership transfer of 8/10 Prince Arthur Street to the Cumberland Homelessness and Housing Support Association, direct staff to have the Town’s solicitor prepare the necessary legal documents, and authorize the Mayor and CAO to sign the documents.

BACKGROUND: Council acquired the subject property at tax sale with the view to make it available for affordable and/or supportive housing. The Cumberland Homelessness and Housing Support Association (CHHSA) have requested that ownership be transferred to them for a project called “Cornerstone” that will renovate the property to contain affordable supervised apartments, a resource room, kitchen and office space for administration and support services.

As noted above, the MGA requires that a public hearing must be held before town-owned property can be transferred to a non-profit organization for less than market value. The hearing took place February 8th. There were no objections to the transfer noted at the hearing, however one local business owner expressed concerns about current and potential increasing litter, trespass and vandalism. It is the opinion of staff that effecting the reuse of the subject property would increase traffic in the area thus reducing the likelihood of such negative practices. Further, as per our MOU with Cornerstone, the Town will have a seat on the Board of the organization and thus be able to influence how the property operates to some degree.





AMHERST TOWN COUNCIL

RFD# 2023017

Date: February 27, 2023

DISCUSSION: Transfer of ownership to the CHHSA will allow the much-needed Cornerstone facility to become a reality. Under the terms of the Memorandum of Understanding between CHHSA and the Town, a Town councillor will have a seat on the Cornerstone Board of Directors.

FINANCIAL IMPLICATIONS: The Town paid \$26,000 for the property at tax sale in 2021. Transferring the property would forego the market value of the property. The Town will also incur legal costs associated with the property transfer.

SOCIAL JUSTICE IMPLICATIONS: This item directly supports those in need of affordable and supportive housing.

ENVIRONMENTAL IMPLICATIONS: None specific to this issue.

COMMUNITY ENGAGEMENT: A public hearing was held in accordance with MGA requirements.

ALTERNATIVES: Do not transfer ownership of the subject property.

ATTACHMENTS: None.

Report prepared by: A.Fisher
Report and Financial approved by:



SYNOPSIS

8 Lower Laplanche Street

Purchase of the vacant property located at 8 Lower Laplanche Street would provide more control over a town entrance that is in need of improvement. It would provide an opportunity to make aesthetic improvements with some basic landscaping, and control over off-lot signage.

Subject to Council's approval, an agreement has been reached to purchase the property for \$5,000, plus all legal costs related to the transaction.

The attached Agreement of Purchase and Sale facilitates this property transaction.

MOTION:

That Council approve of the purchase 8 Lower LaPlanche Street for \$5,000, plus any applicable HST and legal costs, and authorize the Mayor and CAO to execute the associated agreement of purchase and sale.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Andrew Fisher, Director of Planning & Strategic Initiatives

DATE: February 27, 2023

SUBJECT: **8 Lower LaPlanche Street Purchase**

ORIGIN: November 2022 direction from Council to purchase 8 Lower LaPlanche Street at a tax sale that was to be held December 13, 2022. Staff subsequently reached an agreement with the executor of the property owner's estate to purchase the property for \$5,000, plus legal fees.

LEGISLATIVE AUTHORITY: Municipal Government Act, section 51(1) *A municipality may acquire and own property granted or conveyed to the municipality either absolutely or in trust for a public or charitable purpose.*

RECOMMENDATION: That Council approve of the purchase 8 Lower LaPlanche Street for \$5,000, plus any applicable HST and legal costs, and authorize the Mayor and CAO to execute the associated agreement of purchase and sale.

BACKGROUND: Council agreed to purchase the property of 8 Lower LaPlanche Street for \$5,000, plus legal costs to be paid by the Town. The vendor, who is the executor of the estate, later informed the Town that the Will related to the estate was lost and a lawyer had been hired to establish a saleable title to the subject property. The legal costs related to this process will not be the responsibility of the Town.

The Town's solicitor is pursuing the matter with the vendor's lawyer. A closure date will be set once the title is established. The vendor's lawyer has been instructed to provide updates throughout the process.

The attached Agreement of Purchase and Sale is a standard document that facilitates the property transaction.

DISCUSSION: This purchase would allow more control over a town entrance that is in need of improvement. It would provide an opportunity to make aesthetic improvements with some basic landscaping and control over off-lot signage.

FINANCIAL IMPLICATIONS: From Capital Reserves, \$5,000, plus applicable HST and legal costs related to the transaction.





AMHERST TOWN COUNCIL

RFD# 2023013

Date: February 27, 2023

SOCIAL JUSTICE IMPLICATIONS: None specific to this issue.

ENVIRONMENTAL IMPLICATIONS: No environmental assessment of the property was completed; however, its location is adjacent to a railway and in the vicinity of a former heavy industrial site (Robb Engineering). Given the intended use of the property is to make landscaping improvements, staff do not feel acquiring the property represents a significant environmental risk.

COMMUNITY ENGAGEMENT: None specific to this issue.

ALTERNATIVES: Do not purchase the property.

ATTACHMENTS: Agreement of Purchase & Sale.

Report prepared by: A.Fisher
Report and Financial approved by:



AGREEMENT OF PURCHASE AND SALE

BETWEEN:

Dan Potter, of Moncton, in the County of Westmorland and Province of New Brunswick
(the "Vendor")

-and-

THE TOWN OF AMHERST, a municipal corporation, incorporated under the laws of the
Province of Nova Scotia (the "Purchaser")

OFFER

1. The Purchaser hereby offers to purchase from the Vendor the parcel of land located at 8 Lower LaPlanche St. being PID 25023177, in Amherst, Nova Scotia (the "Property") for a sum of Five Thousand Dollars (**\$5,000.00**) plus HST, if applicable, of lawful money of Canada together with all adjustments pursuant to this agreement.

CONDITIONS

2. The Probation in Proof in Solemn form is successful and the property migration is completed at the expense of the Owner.

DEPOSIT

3. The Purchaser does not submit a deposit with this offer.

CLOSING DATE

4. This agreement shall be completed on the ___ day of _____, 2023 (the "Closing Date"). Upon completion, possession of the property shall be given to the Purchaser.

TITLE

5. The Vendor is to furnish the Purchaser with a metes and bounds description of the property which is the subject of this Agreement, after receipt whereof the Purchaser is allowed 10 days to investigate the title to the Property, which he shall do at his own expense. If within that time any valid objection to title is made in writing, to the Vendor, which the Vendor shall be unable or unwilling to remove, and which the Purchaser will not waive, this Agreement shall be null and void.

CONVEYANCE

6. The Conveyance (of the Property which is the subject of this Agreement) shall be by Warranty Deed drawn at the expense of the Purchaser, to be delivered on payment of the purchase price on the Closing Date. The said property is to be conveyed free from other encumbrances, except as to any easements, registered restrictions or covenants that affect the property and do not materially affect the enjoyment of the property.

ADJUSTMENTS

7. The purchase price shall be paid on the Closing Date as the amount in the Offer.

TENDER OF DOCUMENTS AND CHEQUE

8. Any tender of documents to be delivered or money payable hereunder may be made upon the Vendor or the Purchaser or any party acting for him and money may be tendered by certified cheque or solicitor's trust cheque.

TIME OF ESSENCE

9. Time shall in all respects be of the essence in the Agreement. In the event of a written agreement of extension, time shall continue to be of the essence.

BINDING

10. This Agreement shall enure to the benefit and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

CHANGES OF NUMBER AND GENDER

11. This agreement is to be read with all changes of gender or number required of the context.

ACCEPTANCE DATE

12. This offer shall be open for acceptance until 1:00pm on the ___ day of _____, 2023.

Dated at Amherst, in the Province of Nova Scotia this ____ day of _____, 2023.

TOWN OF AMHERST Purchaser

Per:

Witness

David Kogon, MD
Mayor

Witness

Jason MacDonald, MCIP, LPP,
Chief Administrative Officer

VENDOR'S ACCEPTANCE OF OFFER

13. I hereby accept the above offer and agree to sell on the terms as therein set forth.

Dated at Amherst, in the Province of Nova Scotia this ____ day of _____, 2023.

Vendor

Per:

Witness

Dan Potter

Witness

SYNOPSIS

Appointment to Cornerstone Board of Directors

The Cumberland Housing and Homelessness Support Association (Cornerstone) has been working to establish a multi-use facility that will assist citizens who are homeless, precariously housed and those who require affordable housing. Since 2017 it has become apparent that the need for a paid Executive Director is paramount to assisting the volunteer Board of Directors to move the project forward. The Town of Amherst agreed to fund the position for a one-year period and a Memorandum of Understanding was signed by both parties in November 2022.

As part of the MOU agreement a Town of Amherst representative will participate on the Cornerstone Board. Now that an Executive Director has been chosen who will be starting today, February 27, it would be prudent to appoint a representative this evening.

MOTION:

That Council appoint Deputy Mayor Landry as a representative to serve on the Cornerstone Board of Directors.



AMHERST TOWN COUNCIL

RFD# 2023012

Date: February 27, 2023

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Sharon Bristol, Director, Community Living

DATE: February 27, 2023

SUBJECT: **Cornerstone MOU Appointment to Board**

ORIGIN: Memorandum of Understanding between the Town of Amherst and the Cumberland Housing and Homelessness Support Association (Cornerstone).

LEGISLATIVE AUTHORITY: Policy #10350-28 Appointment of Members Of Council To External Boards, Committees & Commissions

RECOMMENDATION: That Council appoint Deputy Mayor Landry as a representative to serve on the Cornerstone Board of Directors.

BACKGROUND: The Cumberland Housing and Homelessness Support Association (Cornerstone) has been working to establish a multi-use facility that will assist citizens who are homeless, precariously housed and those who require affordable housing. Since 2017 it has become apparent that the need for a paid Executive Director is paramount to assisting the volunteer Board of Directors to move the project forward. The Town of Amherst agreed to fund the position for a one-year period and a Memorandum of Understanding was signed by both parties in November 2022.

DISCUSSION: As part of the MOU agreement a Town of Amherst representative will participate on the Cornerstone Board. Now that an Executive Director has been chosen who will be starting on February 27, it would be prudent to appoint a representative at the February meeting of Council. The Board meets the 4th Thursday of each month from 9:00 am to 10:30 am at CCUBIC.

FINANCIAL IMPLICATIONS: None

SOCIAL JUSTICE IMPLICATIONS: Continued collaboration to ensure all residents have access to affordable housing, keeping the most vulnerable of our population housed in a secure, safe environment that is fully staffed and supported with appropriate services to move them along the housing continuum.

ENVIRONMENTAL IMPLICATIONS: None

COMMUNITY ENGAGEMENT: Continued engagement with this non profit, working with the Cumberland YMCA Housing program and outreach to the community where deemed necessary.





AMHERST TOWN COUNCIL

RFD# 2023012

Date: February 27, 2023

ALTERNATIVES: 1. Not appoint Town representative to the Board, or 2. Defer to next month

ATTACHMENTS: Cornerstone MOU

Report prepared by: Sharon Bristol, Director, Community Living
Report and Financial approved by:



MEMORANDUM OF UNDERSTANDING (MOU)

Made in duplicate

BETWEEN **Town of Amherst**, a corporation under the laws of the Province of Nova Scotia, carrying out business at 98 Victoria Street East, Amherst, NS B4H 4A1, (the "TOA")

- AND -

Cumberland Homelessness and Housing Support Association, a not for profit organization incorporated under the laws of the Province of Nova Scotia, carrying out business at Amherst (Cornerstone)

(Collectively referred to as the "**Parties**")

WHEREAS the Parties have a common interest in increasing the availability of both affordable housing and emergency transitional housing within the Town of Amherst;

AND WHEREAS housing is clearly a Provincial responsibility and should not be directly provided by a municipality;

AND WHEREAS the Parties are desirous of working together in a collaborative manner to increase access to these services;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

GENERAL

1. Cornerstone will hire an Executive Director to plan, implement and manage the development of both affordable housing units and emergency transitional housing within the Town of Amherst.
2. The Town of Amherst will be permitted to appoint one Councillor to the Board of Cornerstone.
3. The Executive Director will periodically present updates to Amherst Town Council.
4. The Executive Director and the Town of Amherst CAO or designate will meet periodically to review issues related to this agreement.

5. Cornerstone, will be responsible for:

- a) Actively working toward the establishment of a permanent emergency transitional shelter within the Town of Amherst;
- b) Actively working towards the establishment of a number of affordable housing units within the Town of Amherst;
- c) Fundraising, including applying for grants, for both the capital and operating costs of the facilities owned and / or operated by Cornerstone, and the expenses of Cornerstone in general;
- d) Providing leadership and building capacity within the local community on issues related to their mandate;
- e) All aspects of the construction, renovation and operation, including all liability, of any affordable housing units or transitional shelters developed by Cornerstone;
- f) Continue to investigate and potentially develop additional affordable housing options within the Town of Amherst.

FUNDING

7. The TOA will fund 100% of the cost of the Executive Director for a 12-month period, with estimated costs outlined in Appendix A of this document.

8. External funding opportunities will be pursued by Cornerstone. Any additional funding for the Executive Director position will be used to offset the costs to the Town of Amherst, or at the sole discretion of the TOA the additional funding may be used by Cornerstone for the pursuit of their stated goals and objectives or to extend the term of the Executive Director.

9. Should the Municipality of the County of Cumberland be desirous of partnering with Cornerstone and the Town of Amherst for the provision of affordable housing and / or emergency transitional housing in the area, both parties to this agreement will make all reasonable efforts to negotiate their inclusion in the agreement.

GOVERNANCE

10. The Executive Director is an employee of Cornerstone, reporting to Board of Directors of that organization. To further clarify, the Executive Director will not be subject to any employee policies, procedures or benefits of the Town of Amherst.

REPORTING

11. The Executive Director shall submit a monthly report to the Town of Amherst for inclusion in Council agendas.

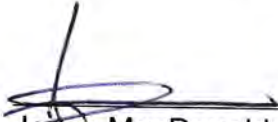
TERM

12. While through this agreement the Town of Amherst has agreed to provide funding for an Executive Director for a period of 12 months it is anticipated that this agreement will continue in some form as long as Cornerstone is actively operating within the Town of Amherst, notwithstanding the fact that the Town of Amherst may not be actively funding Cornerstone at a future time.


13. This agreement may be amended at any time with the consent of both Parties.

14. A review of this agreement will commence after the Executive Director has been in their position for a period of nine months to consider its continued applicability or any improvements / changes desired by either party.

Town of Amherst:



Jason MacDonald, MCIP, LPP
Chief Administrative Officer



David Kogon, MD
Mayor

Cumberland Homelessness and Housing Support Association:



SCHEDULE "A"

STAFFING COSTS	
Salaries	\$65,000.00
MERC	\$5,141.50
Benefits	\$14,300.00
Staff development	\$3,000.00
Travel	\$1,000.00
ADMIN & OVERHEADS	
Equipment purchase	\$2,000.00
Supplies	\$500.00
Telephone	\$720.00
Internet	\$1,200.00
OTHER	
Director's and Officer's Insurance	\$1,000.00
Corporate Liability Insurance	\$700.00
Total Operating Expenses	\$94,561.50

SYNOPSIS

2023-24 Capital Budgets

Town of Amherst & Amherst Water Utility

Each year the Town of Amherst and the Amherst Water Utility present their capital budgets to Council for approval. The General Capital budget is in the amount of \$2,141,500. The Utility's capital budget is in the amount of \$410,000.

This year's capital budget for the water utility includes \$80,000 to further our efforts to reduce turbidity within our water system and \$300,000 for upgrades to our water booster station which aids fire suppression within the industrial park.

In the general capital budget we continue to replace various vehicles required to provide services to our residents with over \$500,000 committed to this initiative. There will be a \$200,000 investment in equipment for our police and fire services to ensure the safety of our first responders as well as the people they serve.

We are investing over \$80,000 in our buildings to improve security and energy efficiency including \$40,000 for upgrades to the library heating system.

We are also investing over \$900,000 to pave all or part of 17 town streets and the replacement of all or a part of 4 sidewalks. Included in this amount is the installation of tactile plates at various intersections which will improve the accessibility of our sidewalks for those with visual disabilities.

Furthermore, pending grant application approval, we are hoping to invest \$499,000 to implement storm water mitigation efforts in Dickey Brook as well as the Industrial Park Drive / South Albion Street area.

We would also like to note that due to the positive financial position of the Town we are able to make these strategic investments without borrowing any funds or impacting the municipal tax rate going forward.

MOTION:

That Council approves the Town of Amherst General Capital Budget for the 2023-24 fiscal year as presented in the amount of \$2,141,500 and the Amherst Water Utility Capital Budget for the 2023-24 fiscal year in the amount of \$410,000 to be funded as follows:

Town of Amherst - General Capital

Capital from Revenue	\$ 845,700
Capital Reserve	10,000
Canada Community Building Fund (formerly Gas Tax Fund)	919,000
Grants - Federal/Provincial	366,800
	<u>\$ 2,141,500</u>

Amherst Water Utility

Capital from Revenue	\$ 40,000
Water Depreciation	370,000
	<u>\$ 410,000</u>

And further, that Council approve in principle the subsequent four years' Capital Budget plans as presented:

<u>Fiscal Year</u>	<u>General Capital Total Amount</u>	<u>Water Capital Total Amount</u>
2024-2025	\$ 4,395,000	\$ 475,000
2025-2026	\$ 2,262,000	\$ 450,000
2026-2027	\$ 2,456,000	\$ 470,000
2027-2028	\$ 3,026,000	\$ 590,000

To be clear, the second part of this motion contemplates the approval of the amounts for the years 2024-2025 to 2027-2028 for planning purposes only; this is not the authority to spend, nor is it necessarily the final and complete listing.



AMHERST TOWN COUNCIL

RFD# 2023018

Date: February 27, 2023

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Sarah Wilson, Director of Finance

DATE: February 27, 2023

SUBJECT: 2023 – 24 Capital Budgets - Town of Amherst & Amherst Water Utility

ORIGIN: 2023 - 2024 budget preparations.

LEGISLATIVE AUTHORITY: Section 65 of the Municipal Government Act requires that council shall adopt an operating budget and a capital budget for each fiscal year.

RECOMMENDATION: That Council approve the Town of Amherst General Capital Budget for the 2023-24 fiscal year as presented in the amount of \$2,141,500 and the Amherst Water Utility Capital Budget for the 2023-24 fiscal year in the amount of \$410,000, and further, that Council approve in principle the subsequent four years' Capital Budget plan as presented.

BACKGROUND: Each year the Town of Amherst and the Amherst Water Utility present their capital budgets to Council for approval. This year, the general Capital budget in the amount of \$2,141,500 includes \$774,000 for street paving and \$145,000 for sidewalks. The Amherst Water Utility's proposed capital budget of \$410,000 includes upgrades to the McCully Street Booster Station in the amount of \$300,000.

DISCUSSION: The capital budgets, as presented, fit within the Town's and the Utility's financial resources. There is no borrowing for the 2023-24 General or Water capital budgets.

FINANCIAL IMPLICATIONS: Funding this year's Town of Amherst General capital budget of \$2,141,500 and the Amherst Water Utility capital budget of \$410,000 is proposed to be:

Town of Amherst - General Capital		Amherst Water Utility	
Capital from Revenue	\$ 845,700	Capital from Revenue	\$ 40,000
Capital Reserve	10,000	Water Depreciation	370,000
Canada Community Building Fund (formerly Gas Tax Fund)	919,000		410,000
Grants - Federal/Provincial	366,800		
	\$ 2,141,500		



As in past years, projections for the subsequent four years' Capital Budget plans are included for Council's consideration:

<u>Fiscal Year</u>	<u>General Capital Total Amount</u>	<u>Water Capital Total Amount</u>
2024-2025	\$ 4,395,000	\$ 475,000
2025-2026	\$ 2,262,000	\$ 450,000
2026-2027	\$ 2,456,000	\$ 470,000
2027-2028	\$ 3,026,000	\$ 590,000

COMMUNITY ENGAGEMENT: The council budget session has been recorded for the public's information. A budget report will be added to the website once all rates are finalized.

ENVIRONMENTAL IMPLICATIONS: None anticipated.

SOCIAL JUSTICE IMPLICATIONS: None anticipated.

ALTERNATIVES:

1. Approve the Town and Utility capital budgets as presented
2. Approve the Town and Utility capital budgets with amendments
3. Refer the Town and Utility capital budgets back to staff for further review.

ATTACHMENTS:

Copies of the Capital Budgets for the 2023-24 fiscal year and years 2-5.

Report prepared by: Sarah Wilson, Director of Finance
Report and Financial approved by:

Capital Budget		Sources of Financing					
YEAR 1 - 2023/24							
Projects	Estimated Gross Cost with non-recoverable HST included	Water Operating	Water Depreciation	General Operating	Capital Reserve	Canada Community Building Fund (formerly Gas Tax)	Grants
WATER CAPITAL							
McCully Street Booster Station - upgrades	300,000		300,000				
Wellfield Engineering Design & Construction - Swab Launchers	80,000	10,000	70,000				
Fire Hydrant Replacement	15,000	15,000					
Water Meter Replacement	15,000	15,000					
WATER TOTAL	410,000	40,000	370,000	-	-	-	-
GENERAL CAPITAL							
EQUIPMENT							
Sidewalk Snowplow with Blower	210,000			210,000			
Service Truck (1 Ton) - Streets	70,000			70,000			
Subtotal	280,000	-	-	280,000	-	-	-
BUILDINGS / LAND							
Town Hall - Server - replacement	22,000			22,000			
Four Fathers Library - HVAC Upgrade	40,000			40,000			
Subtotal	62,000	-	-	62,000	-	-	-
STREETS							
Academy ~ Wellington to Dickey (Cold Mill and Pave)	62,000					62,000	
Church ~ Longleah to Robert Angus Drive (Cold Mill and Pave)	125,000					125,000	
Erncliffe ~ Copp to Lawrence (Overlay)	42,000					42,000	
Foundry ~ Copp to Sackville (Overlay)	40,000					40,000	
Hickman ~ West Pleasant to Mission (Overlay)	95,000					95,000	
Lennox ~ Haliburton to Westland Est (Overlay)	18,000					18,000	
Lusby ~ All (Overlay)	26,000					26,000	
Melrose ~ Agnew to Robie (Overlay)	30,000					30,000	
Park ~ McCully to Maltby Court (Overlay)	35,000					35,000	
Terrace ~ All (Overlay)	45,000					45,000	
Prince Arthur ~ Church to Maple (Overlay)	45,000					45,000	
Pearl Place ~ All (Overlay)	15,000					15,000	
Copp ~ Ernie to West Victoria (Overlay)	22,000					22,000	
Clarence ~ Robie to Clifford (Overlay)	42,000					42,000	
Maple ~ Victoria to Crescent (Overlay)	60,000					60,000	
Crescent ~ Church to Maple (Overlay)	52,000					52,000	
Gerard ~ All (Overlay)	20,000					20,000	
Subtotal	774,000	-	-	-	-	774,000	-

Capital Budget		Sources of Financing					
YEAR 1 - 2023/24							
Projects	Estimated Gross Cost with non-recoverable HST included	Water Operating	Water Depreciation	General Operating	Capital Reserve	Canada Community Building Fund (formerly Gas Tax)	Grants
SIDEWALKS							
Maltby Court ~ Park Street to West Highlands (TOA) - new construction	10,000					10,000	
Cornwall Street ~ Anson Ave to Kent Drive (TOA) - replacement	20,000					20,000	
Prince Arthur Street ~ Maple to Church - both sides (TOA) - replacement	80,000					80,000	
Mission Street ~ Hickman to York (TOA) - replacement	15,000					15,000	
Tactile Plates - pilot project downtown	20,000					20,000	
Subtotal	145,000	-	-	-	-	145,000	-
STORMSEWER							
Flood Mitigation Upgrades	499,000	-	-	149,700	-	-	349,300
FIRE DEPARTMENT							
Structural Firefighting Bunker Gear (6-9 sets) - replacement	22,000			22,000			
Replacement Wildland Coveralls (Qty 28)	16,000			16,000			
Powered Extrication Tools - replacement	68,000			68,000			
Breathing Air Refilling Stations - replacement (Station unit)	30,000			30,000			
Fire Station Bldg Repairs - Replace front main entrance	18,000			18,000			
Fire Station Bldg Repairs - Replace (1/3) interior & exterior lights (year 1 of 3)	13,000			13,000			
Subtotal	167,000	-	-	167,000	-	-	-
POLICE DEPARTMENT							
Body Armour and attachments - 20 Units	30,000			30,000			
Multisuns Voice Recorder	20,000			20,000			
Containment Equipment - 4 Carbines and accessories	16,500			16,500			
Subtotal	66,500	-	-	66,500	-	-	-
RECREATION							
Replace 1/2 Ton Truck	60,000			60,000			
Utility Trailer Replacement	12,000			12,000			
Decorative Lighting	25,000			12,500			12,500
4 Stream Waste Receptacles for Parks (year 1 of 2)	10,000			5,000			5,000
Trail Groomer (attachment for Kubota Tractor)	21,000			21,000			
Willow Trail Fencing (adjacent properties on Abbey Road)	10,000			10,000			
Stadium Elevated Viewing Surface (Ice Level)	10,000				10,000		
Subtotal	148,000	-	-	120,500	10,000	-	17,500
GENERAL TOTAL	2,141,500	-	-	845,700	10,000	919,000	366,800
GRAND TOTAL WATER & GENERAL							
	2,551,500	40,000	370,000	845,700	10,000	919,000	366,800

Capital Budget		Sources of Financing							
YEAR 2 - 2024/25									
Projects	Estimated Gross Cost with non-recoverable HST included	Water Operating	Water Depreciation	General Operating	Sewer Operating	Canada Community Building Fund (formerly Gas Tax)	Grant	Long Term Debt - Sewer	Long Term Debt - General
WATER CAPITAL									
Beacon Street - water main replacement	215,000		215,000						
Backhoe	180,000		180,000						
Wellfield Production Wells - replace pump in well P-3	50,000	10,000	40,000						
Fire Hydrant Replacement	15,000	15,000							
Water Meter Replacement	15,000	15,000							
WATER TOTAL	475,000	40,000	435,000	-	-	-	-	-	-
GENERAL CAPITAL									
EQUIPMENT									
Loader - Streets	275,000								275,000
1 Ton Dump Truck / Salt Truck	100,000			24,000					76,000
WWTP UV Disinfection System	600,000						480,000	120,000	
Subtotal	975,000	-	-	24,000	-	-	480,000	120,000	351,000
BUILDINGS / LAND									
5 Ratchford Street - Upper Level Roof	70,000			70,000					
Victoria Street (Acadia to CNR tracks) replace street light luminaires	70,000			70,000					
Subtotal	140,000	-	-	140,000	-	-	-	-	-
LARGE MULTI - CATEGORY PROJECTS									
Beacon Street ~ Croft to Church - street, sanitary sewer, storm sewer, curb	225,000					16,000			209,000
Dundonald Street - street (CM) and storm sewer (corrugated)	125,000								125,000
Subtotal	350,000	-	-	-	-	16,000	-	-	334,000
STREETS									
Agnew ~ Clarence to Havelock (Overlay)	55,000					55,000			
Arlington ~ All (Overlay)	22,000					22,000			
Anson Avenue ~ Cornwall to Hickman	130,000					130,000			
Sackville ~ Emcliffe to Rambler (Overlay)	22,000					22,000			
Townshend ~ Academy to Charles (Overlay)	18,000					18,000			
Winston ~ Albion to Civic 40 (Overlay)	70,000					70,000			
Patterson ~ All (Overlay)	100,000					100,000			
Allison ~ Elmwood to Spring (Overlay)	80,000					80,000			
Robie ~ Clarence to Havelock (Overlay)	46,000					46,000			
Subtotal	543,000	-	-	-	-	543,000	-	-	-
SIDEWALKS									
Wellington Street ~ Croft to Church (TOA)	19,000					19,000			
LaPlanche Street ~ east side Victoria to Lawrence (TOA)	35,000					35,000			
Cornwall Street ~ Anson to Cordova (TOA)	10,000					10,000			
Beacon Street ~ Croft to Church (TOA)	17,000					17,000			
Tactile Plates - pilot project downtown	20,000					20,000			
Subtotal	101,000	-	-	-	-	101,000	-	-	-
STORM/SANITARY SEWER									
WWTP Lagoon Sludge Removal and Disposal	300,000	-	-	-	15,000	-	-	285,000	-
FIRE DEPARTMENT									
Floor Scrubber - Apparatus floor	12,000			12,000					
Replacement Wildland Coveralls (Qty 27)	16,000			16,000					
Replacement Structural Firefighting Bunker Gear (6-9 sets)	22,000			22,000					
Fire Suppression Hose (Set # 3) - replacement	30,000			30,000					
Live Fire Training Unit	650,000								650,000
Computer Aided Dispatch System and mobile data terminals	175,000								175,000
Fire Station Bldg Repairs - Replace (1/3) interior & exterior lights (year 2 of 3)	13,000			13,000					
Fire Station Bldg Repairs - Insulate hot water heating supply and return piping	8,000			8,000					
Fire Station Bldg Repairs - Replacement of exterior windows	80,000			80,000					
Subtotal	1,006,000	-	-	181,000	-	-	-	-	825,000
POLICE DEPARTMENT									
Watch Guard Body Cameras	30,000			30,000					
Containment Team Equipment	25,000			25,000					
APX500 Radio Base and install	10,000			10,000					
Patrol Vehicle # 1	65,000			65,000					
Patrol Vehicle # 6	65,000			65,000					
Dispatch Console and Software	105,000								105,000
Subtotal	300,000	-	-	195,000	-	-	-	-	105,000
RECREATION									
Replace Massey Tractor	35,000			35,000					
Victoria Square Lights	65,000			65,000					
4 Stream Waste Receptacles for Parks (year 2 of 2)	10,000			10,000					
Infield Groomer	10,000			10,000					
Zero Turn Replacement	40,000			40,000					
Site Furniture	20,000			20,000					
Church Street Court Fence Replacement	60,000			60,000					
Skate Park Repairs	20,000			20,000					
Decorative Lighting	25,000			25,000					
Replace Overhead Lights at Stadium	100,000								100,000
Snow Blower Attachment for Kubota	10,000			10,000					
Condenser Water Tank for Stadium	10,000			10,000					
Stadium Elevator Modernization	275,000								275,000
Subtotal	680,000	-	-	305,000	-	-	-	-	375,000
GENERAL TOTAL	4,395,000	-	-	845,000	15,000	660,000	480,000	405,000	1,990,000
GRAND TOTAL WATER & GENERAL	4,870,000	40,000	435,000	845,000	15,000	660,000	480,000	405,000	1,990,000

Capital Budget		Sources of Financing					
YEAR 3 - 2025/26							
Projects	Estimated Gross Cost with non-recoverable HST included	Water Operating	Water Depreciation	General Operating	Sewer Operating	Canada Community Building Fund (formerly Gas Tax)	Long Term Debt - General
WATER CAPITAL							
Loader	275,000		275,000				
Reservoir - interior cleaning / silt removal	75,000		75,000				
Service Truck	70,000	10,000	60,000				
Fire Hydrant Replacement	15,000	15,000					
Water Meter Replacement	15,000	15,000					
WATER TOTAL	450,000	40,000	410,000	-	-	-	-
GENERAL CAPITAL							
EQUIPMENT							
Replace Utility Trailer	12,000			12,000			
Service Truck - Sewer	70,000			55,000	15,000		
Subtotal	82,000	-	-	67,000	15,000	-	-
LARGE MULTI - CATEGORY PROJECTS							
Westminster Avenue - asphalt overlay, curb and storm sewer (corrugated)	280,000						280,000
Cornwall Avenue - street (CM) and storm sewer (corrugated)	225,000						225,000
Subtotal	505,000	-	-	-	-	-	505,000
STREETS							
Ash ~ All (Overlay)	20,000					20,000	
Kay ~ All (Overlay)	10,000					10,000	
Havelock ~ Prince Arthur to Spring (Overlay)	165,000					165,000	
Silver ~ All (Overlay)	22,000					22,000	
Veno ~ All (Overlay)	18,000					18,000	
Rupert ~ Spring to Prince Arthur (Cold Mill and Pave)	225,000					225,000	
Tantramar Court ~ All (Overlay)	33,000					33,000	
Subtotal	493,000	-	-	-	-	493,000	-
STORM SEWER							
Minto Street - street (CM) and storm sewer (corrugated)	160,000					72,000	88,000
SIDEWALKS							
Cornwall Street ~ Cordova to Hickman (TOA)	20,000					20,000	
Havelock Street ~ Prince Arthur to Spring (TOA)	40,000					40,000	
Clarence Street ~ Belmont to Spring (TOA)	15,000					15,000	
Tactile Plates	20,000					20,000	
Subtotal	95,000	-	-	-	-	95,000	-
FIRE DEPARTMENT							
Replacement Structural Firefighting Bunker Gear (6-9 sets)	22,000			22,000			
Replacement of Fire Suppression Hose	12,000			12,000			
Replacement of VHF / Digital Radios	150,000			150,000			
Fire Station Bldg Repairs - Replace all building electrical wiring	200,000			51,000			149,000
Replacement - Commercial Washer and Dryer System	23,000			23,000			
Fire Station Bldg Repairs - Replace (1/3) interior & exterior lights (year 3 of 3)	14,000			14,000			
Fire Station Bldg Repairs - Replace roof membrane - main building	95,000			95,000			
Fire Station Bldg Repairs - Replace mechanical roof support curb & add add'l roof drains	40,000			40,000			
Subtotal	556,000	-	-	407,000	-	-	149,000
POLICE DEPARTMENT							
Patrol Vehicle #2	65,000			65,000			
APD Server	26,000			26,000			
Subtotal	91,000	-	-	91,000	-	-	-
RECREATION							
Replace 1 Ton Truck	90,000			90,000			
Replace Beacon Street Playground Equipment	100,000			100,000			
Replace Floor Scrubber	15,000			15,000			
Site Furniture	20,000			20,000			
Glycol Loop For Stadium Compressor	30,000			30,000			
Decorative Lighting	25,000			25,000			
Subtotal	280,000	-	-	280,000	-	-	-
GENERAL TOTAL	2,262,000	-	-	845,000	15,000	660,000	742,000
GRAND TOTAL WATER & GENERAL	2,712,000	40,000	410,000	845,000	15,000	660,000	742,000

Capital Budget		Sources of Financing					
YEAR 4 - 2026/27							
Projects	Estimated Gross Cost with non-recoverable HST included	Water Operating	Water Depreciation	General Operating	Sewer Operating	Canada Community Building Fund (formerly Gas Tax)	Long Term Debt - General
WATER CAPITAL							
Dale Street ~ LaPlanche to Eddy - water main replacement	190,000		190,000				
Dump Truck	250,000	10,000	240,000				
Fire Hydrant Replacement	15,000	15,000					
Water Meter Replacement	15,000	15,000					
WATER TOTAL	470,000	40,000	430,000	-	-	-	-
GENERAL CAPITAL							
EQUIPMENT							
Sidewalk Snowplow with Blower	210,000			210,000			
Service Truck - Streets	70,000			70,000			
Subtotal	280,000	-	-	280,000	-	-	-
LARGE MULTI - CATEGORY PROJECTS							
Dale Street ~ LaPlanche to Eddy - street, sanitary sewer, curb	370,000	-	-	125,000	15,000	24,000	206,000
STREETS							
Milford ~ Coates to Franklyn, & Willow to Allison (Overlay)	50,000					50,000	
Racetrack Road ~ All (Overlay)	25,000					25,000	
Rogers ~ All (Overlay)	110,000					110,000	
Willow Court ~ All (Overlay)	40,000					40,000	
Christie ~ Poplar to East Pleasant (Overlay)	55,000					55,000	
Church ~ Robert Angus Drive to Town Boundary (Cold Mill and Pave)	210,000					210,000	
Clinton ~ All (Overlay)	70,000					70,000	
Subtotal	560,000	-	-	-	-	560,000	-
STORM SEWER							
Wellington Street - street (CM) and storm sewer (corrugated)	230,000	-	-	-	-	-	230,000
SIDEWALKS							
Victoria Street ~ North Side Herbert to Rupert (TOA)	16,000					16,000	
Dickey Street ~ North Side Charles to Donald (TOA)	25,000					25,000	
Eddy Street ~ Victoria to Civic #20 (TOA)	15,000					15,000	
Tactile Plates	20,000					20,000	
Subtotal	76,000	-	-	-	-	76,000	-
FIRE DEPARTMENT							
Truck - replace unit 8 - Tanker - water shuttle	500,000						500,000
Replacement Structural Firefighting Bunker Gear (6-9 sets)	22,000			22,000			
Replacement - Fire Fighter Voice Pagers (60 units)	48,000			48,000			
Replacment of Fire Suppression Hose	10,000			10,000			
Subtotal	580,000	-	-	80,000	-	-	500,000
POLICE DEPARTMENT							
Hard Body Armour - 20 sets	30,000			30,000			
Crime Prev/SRO Vehicle	50,000			50,000			
Patrol Vehicle #3	65,000			65,000			
Subtotal	145,000	-	-	145,000	-	-	-
RECREATION							
Site Furniture	20,000			20,000			
Decorative Lighting	25,000			25,000			
Replace Half Ton Truck	60,000			60,000			
BMX Bike Track	40,000			40,000			
Replace Dugouts at Robb Complex	70,000			70,000			
Subtotal	215,000	-	-	215,000	-	-	-
GENERAL TOTAL	2,456,000	-	-	845,000	15,000	660,000	936,000
GRAND TOTAL WATER & GENERAL	2,926,000	40,000	430,000	845,000	15,000	660,000	936,000

Capital Budget		Sources of Financing						
YEAR 5 - 2027/28		Estimated Gross Cost with non-recoverable HST included	Water Operating	Water Depreciation	General Operating	Sewer Operating	Canada Community Building Fund (formerly Gas Tax)	Long Term Debt - General
Projects								
WATER CAPITAL								
Queen Street ~ Church to Albion - water main replacement	500,000			500,000				
Wellfield Production Wells - replace pump in well P-3	50,000			50,000				
Wellfield Chlorine Building - replace roof	10,000	10,000						
Fire Hydrant Replacement	15,000	15,000						
Water Meter Replacement	15,000	15,000						
WATER TOTAL	590,000	40,000	550,000	-	-	-	-	-
GENERAL CAPITAL								
EQUIPMENT								
Backhoe - Sewer	180,000			180,000				
Loader - Streets	275,000			72,000				203,000
Service Truck - Sewer	70,000			70,000				
Subtotal	525,000	-	-	322,000	-	-	-	203,000
LARGE MULTI - CATEGORY PROJECTS								
Queen Street ~ Church to Albion - street, sanitary sewer, curb, sidewalk	1,000,000	-	-	-	15,000	-	-	985,000
STREETS								
Gould ~ Wellington to Stadium (Overlay)	15,000					15,000		
Chamberlain ~ Newton to South Albion (Overlay)	60,000					60,000		
Belmont ~ Melrose to Clarence (Overlay)	25,000					25,000		
East Pleasant ~ Charles to Veno (Overlay)	103,000					103,000		
Havelock ~ Prince Arthur to Spring (Overlay)	150,000					150,000		
Newton ~ Chamberlain to Ash (Overlay)	30,000					30,000		
Park ~ West Pleasant to Hickman (Overlay)	200,000					200,000		
Subtotal	583,000	-	-	-	-	583,000	-	-
STORM SEWER								
Croft Street ~ Beacon to East Pleasant - asphalt overlay and storm sewer (corrugated)	190,000	-	-	-	-	12,000	-	178,000
SIDEWALKS								
Anson Ave ~ Hickman to Civic #5 (TOA)	16,000					16,000		
Academy ~ Dickey to Wellington	12,000					12,000		
Lusby ~ West Victoria to end	10,000					10,000		
Donald ~ # 5 Donald to Dickey	7,000					7,000		
Tactile Plates	20,000					20,000		
Subtotal	65,000	-	-	-	-	65,000	-	-
FIRE DEPARTMENT								
Fire Station Bldg Repairs - Replace Generator and Supply Tank	140,000							140,000
Fire Station Bldg Repairs - Replace the Nederman Exhaust Fan	8,000			8,000				
Fire Station Bldg Repairs - Basement entrance stairwell repair moisture infiltration	50,000			50,000				
Fire Station Bldg Repairs - Install exhaust ventilation in washroom, oil/lubricant storage rooms	20,000			20,000				
Fire Station Bldg Repairs - Replace the mortar in all joints	20,000			20,000				
Fire Station Bldg Repairs - Apply moisture inhibitor spray to exterior finishes to protect from water damage	70,000			70,000				
Subtotal	308,000	-	-	168,000	-	-	-	140,000
POLICE DEPARTMENT								
Truck - vehicle # 5	75,000			75,000				
MCU vehicle	50,000			50,000				
Subtotal	125,000	-	-	125,000	-	-	-	-
RECREATION								
Site Furniture	20,000			20,000				
Decorative Lighting	25,000			25,000				
Replace Harding Park Playground Equipment	95,000			95,000				
Replace 1 Ton Truck	90,000			90,000				
Subtotal	230,000	-	-	230,000	-	-	-	-
GENERAL TOTAL	3,026,000	-	-	845,000	15,000	660,000	1,506,000	
GRAND TOTAL WATER & GENERAL	3,616,000	40,000	550,000	845,000	15,000	660,000	1,506,000	

Internal Committee Report

Planning Advisory Committee

February 2023

The Planning Advisory Committee met on Monday, February 6, 2023 and made three recommendations to Council as follows:

1. to enter into a Development Agreement for 3, 4, 5, 7 Robie Street to change the existing non-conforming use to another non-conforming use;
2. to enter into a Development Agreement for 264 Church Street to permit the construction of a 96-bed long-term care facility; and,
3. to not enter into a Development Agreement for 155 East Victoria Street to permit the construction of a 59-unit apartment building.

The PAC also received first drafts of the new Municipal Planning Strategy and Land Use Bylaw in early February and will review these documents at their next meeting scheduled for March 6th at 4:30 p.m.

The PAC will also consider three additional applications, which include:

1. an increase of the number of units from 6 to 8 within an existing building at 9 North Adelaide Street;
2. a garden suite at 52 Hickman Street; and,
3. to rezone of 36/38 Beacon Street from General Residential to Open Space.

Internal Committee Report

Amherst Board of Police Commissioners

February 2023

The Amherst Board of Police Commissioners met on January 31, 2023 at 3:00 p.m. in Town Hall Council Chambers.

Discussion took place around plans for a Strategic Planning Session. This will be discussed in more detail at the next meeting.

Mayor Kogon was in attendance to present long service awards to Staff Sergeant Brian Gairns, 30 years, Deputy Chief Tim Hunter, 30 years, and Cst. Tasha Estabrooks, 15 years. Others receiving awards that were not in attendance included Sgt. Robert MacPherson, 30 years, Sgt. Kevin Girouard, 15 years, and Sgt. Chris Jobe, 15 years.

Tom Wood was also in attendance and recognized for his promotion to Corporal.

The Board also passed a motion to approve the 2023/2024 Capital Budget for the Amherst Police Department which includes \$30,000 for bullet-proof vests, \$18,000 for the Multisuns Upgrader and Containment/Carbine equipment for \$16,500.00, for a total request for 2023/24 of \$64,500.00.

An election for Chair and Vice Chair was held, with Commissioner Paul Calder being elected as Chair, and Commissioner Hal Davidson being elected as Vice Chair.

Internal Committee Report

Amherst Youth Town Council

February 2023

Amherst Youth Town Council (AYTC) met on February 9, 2023. The Council invited After the School Bell to present on their food security program. It was very interesting to hear about their process and the number of children who benefit from the program. Each take home bag consists of cereal, canned milk, peanut butter, crackers, can goods etc. valued at approximately \$35 per bag. The program costs approximately \$130,000 per year to manage and it is completely run by volunteers.

Unfortunately, our public skate had to be cancelled due to weather but we are hoping to reschedule in the near future.

We have been invited and are excited to attend a joint meeting with the Cumberland County Youth Council on February 28. More details on the next report.

Internal Committee Report

Inclusion, Diversity and Equity Committee

February 2023

The Inclusion, Diversity and Equity Committee has not met since January 12, 2023 at which time the meeting was held in a workshop format.

On February 10, 2023 the unveiling of the new sign on Ancestral Drive took place with representatives of Council, Staff and the IDE committee in attendance.

On February 20, 2023 we celebrated Elder Rita Joe as the 2023 Heritage Day honoree. Rita Joe is a Mi'kmaw poet from Eskasoni and We'koqma'q First Nations in Unama'ki (Cape Breton Island) Elder Rita lost both her parents at an early age, spending several years in foster care before attending the Indian Residential School in Shubenacadie at the age of 12. She suffered many hardships from attending the residential school which would eventually lead her to begin writing. She received the Order of Canada in 1989 and in 1992 became a member of the Queens Privy Council. She held Honorary Doctorates from Mount Saint Vincent and the University College of Cape Breton. For more information on the life of Elder Rita Joe we encourage you to visit the Nova Scotia Heritage Day site.

The next meeting has been scheduled for Thursday, March 2, 2023 at 6:00 p.m. in Town Hall Council Chambers.

External Committee Report

Cumberland Public Libraries

February 2023

Internet Hot Spots

We have recently partnered with @NS Community Technology to offer four-week loans of five mobile hotspots with unlimited data. This is a one-year pilot project, with hotspots being available in all Same Page library regions.

Internet hotspots are available to patrons 18+, and require cellular coverage within your area to operate. Reliable internet can be difficult to acquire in our region's more rural areas, and we hope that patrons can take advantage of these hotspots to improve their access.

March Break 2023

March Break 2023 is fast approaching and planning well under way. This is our first March Break of in person programs since March 2019! Programs include: Squeegee Painted Canvas, Donut coasters and Rainbow sun catchers. March Break is March 13-18 and all libraries in the Cumberland Public Library system will have programs for kids in grades Primary to six. Call your local library or check our website for more information.

Statistics

In the month of January, Cumberland Public Libraries signed out over 8826 items, 5110 items in Amherst alone. This includes books, movies, TV shows, magazines and more.

Also, in January Four Father Library offered 16 in-person programs with 310 people in attendance. The Four Fathers library had 1806 in person visits.

Next Board meeting February 28, 2023.

External Committee Report

YMCA of Cumberland

February 2023

Childcare

The Friday Night Fun continued in February. This program is an ongoing partnership with the Town of Amherst.

Membership

We have 1307 active members.

Our current promo is an introductory offer for the first month, \$20+tax for adults, or \$50+tax for a family when signing up for a continuous biweekly membership.

Aquatics

The swim portion of the Town of Amherst Multisport program has started and is going well.

Junior Lifeguard Club started this week with 6 participants. This program is designed for youth ages 8-16 who have completed the Star levels of YMCA swim lessons. The program keeps them engaged in aquatics programming and introduces them to lifesaving skills.

Fitness

"Try-Athletics" began on Sunday, February 12. This youth program will take place every Sunday until March 26, with a different sport each week! The first week was Try-Hockey and the second was Try-Soccer.

Donations/Fundraising

CNOY Update: The Coldest Night of the Year campaign has officially launched, with the event taking place on Saturday, February 25, 2023. At the time of writing this report, there were 16 teams registered comprised of 81 walkers.

Community Development

We hope to be able to run a Senior's social club for 6 weeks and increase our community garden space with wheelchair accessible garden beds. We are also collecting weekly food donations from Walmart which are being used for our Community Kitchen lunch on Wednesdays and shared with clients to help offset grocery costs.

External Committee Report

Northern Region Solid Waste Resource Committee

February 2023

Northern Region Chair

The NR Committee discussed the role of the Chair position, and how it is going to be a busy few years in solid waste with the anticipated announcement of EPR, the 300kg/person/year disposal target, and the new C&D Regulations. The committee will be looking for an elected official to fill the role of the Chair in the coming months.

C&D Regulation Changes

No update at this time.

300 kg Disposal Target

As you may know, the province has a goal to reduce the solid waste disposal rates to no more than 300kgs/person/year by 2030. A plan on how the province will reach this goal has to be in place by the end of 2023. The Department reported that they are looking at having targeted public engagement which should outline ideas on how the province is planning on meeting the goal.

Extended Producer Responsibility

The Department of Environment continues to draft the regulations. It was reported that it is likely that EPR for batteries, lighting, and additional electronics will be announced prior to EPR for PPP.

External Committee Report

L.A. Animal Shelter

February 2023

The last board meeting dealt mainly with planning for the new building. The board has selected a contractor, TN Trenholm Contracting, and he attended. He was able to outline the process, his schedule, pricing, as well as answering any questions the board had. The building committee has been working on creating materials and contact lists for the fundraising campaign. Now that we have a contractor in place, we will be able to approach organizations and levels of government for grants/donations.

Our Annual General Meeting will be held on March 23 at 6:30, upstairs at Dayle's. A call for new board members has been made.

In January, the shelter adopted out 34 felines and 2 dogs. We are currently housing 5 dogs, 18 kittens and 27 adult cats.

We intend, once again, to host the annual Spring Tea on Saturday, May 13.

External Committee Report

Senior Safety

February 2023

The Senior Safety Committee met on Tuesday, February 21st at 1:30 via zoom.

The Terms of Reference were scanned and sent to Lisa so she could share the information with the Town of Amherst.

Direct Service Delivery: Provide services directly to seniors in their homes or place where they feel most comfortable. The coordinator has been busy this month. She has attended 3 male seniors and 3 female seniors in town along with 4 male and 1 female in the county. She has also had 13 email requests for assistance with service delivery and 22 phone calls from seniors in town.

Most of the committee members belong to other community organizations so they can link seniors. Both Councillor Emery and the Senior Safety Coordinator belong to the MAP (Municipal Alcohol Project) committee and attend regular meetings there.

The coordinator has begun to plan a Senior Safety Academy for Amherst in May. She also attended and did a presentation during the Family Violence Prevention Week luncheon.

The next Senior Safety Meeting will be March 16th at 1:30 p.m.

External Committee Report

Advisory Committee to Reduce Poverty

February 2023

The Advisory Committee to Reduce Poverty was scheduled to meet on February 16, 2023 however due to lack of quorum the meeting was rescheduled to February 23rd.

Items on the agenda included a presentation by Ericka Caissie-Stone on behalf of In The Works, and Hailie Tattrie on behalf of Mitacs.

A discussion was also held around the 2023 Summit for Strength conference scheduled for April.

A full report will be presented at the next Council meeting.

External Committee Report

Municipal Alcohol Project

February 2023

The MAP committee met on Tuesday, February 7th at 1:30 via zoom.

Our local Map committee is looking for opportunities to present the findings of the Canadian Guidance on Alcohol and Health documents. There will be a request in the future from Sophie Melanson, addictions and mental health Cumberland, to present to council and if possible to all three municipal councils at the same time.

Sophie was invited to present the Guidelines during the Springhill, Oxford, Amherst and Area (SOAR) Community Health Board Wellness Fund Celebrations held at the CCUBIC on Thursday, February 16th.

Also, during the Wellness Celebration, the Community Champions were awarded a certificate from The Community Health Board and the Municipal Alcohol Project. The recipients were HeeYeon Son and Bhavin Anshariya who were working with the Multicultural Association of Cumberland and organized the Diwali Festival of Light in December. This showed community vibrancy without the need of alcohol.

The vision of the MAP committee is to normalize socializing without alcohol needed; however, we understand that many organizations make money off of sales of alcohol during events they host. With that in mind we will be contacting some of the event organizers to see if water can be served free of charge or even a pitcher on the tables.

Finally, thank you to the staff that worked with MAP objectives in mind to make changes to the Community Support Grants Policy.

The next meeting of the MAP committee will be Tuesday, March 7th.

**The Cumberland Community Health Boards &
Municipal Alcohol Project**

Recognizes

Bhavin Anshariya

As a

Community Vibrancy & Harm Reduction Champion

For their positive health promotion action that help to shift the culture of alcohol
and reduce health related harms in our communities

Melanie Ward

On behalf of Cumberland County Community Health
Boards

Stephen Melms

On behalf of Cumberland MAP committee

February 16, 2023

Date





Healthy Community Champion

Community Health Boards (CHBs) are mandated by the Health Authorities Act and supported by Nova Scotia Health. We are committed to finding ways to work with champions who make our communities healthier.

The Cumberland County Community Health Boards have developed a Community Health Plan which includes four priorities to increase:

- Economic Well Being
- Mental Wellness and a Sense of Belonging
- Healthy Lifestyle and Supportive Environments
- Community Engagement and Positive Relationships.

The Cumberland County CHBs recognizes that we cannot do our work without help and we would like to recognize local healthy community champions.

A healthy community champion is a person or group that has helped improve the health of our community by providing options or opportunities that contribute to one of the four priorities.

NSHA Vision: Healthy people, healthy communities --- for generations.

Thank you for your commitment to community.

Cumberland County CHBs