



Town of Amherst
Special Council Meeting
Agenda

Date: **Monday, August 12, 2024**
Time: **12:00 pm**
Location: **Council Chambers, Town Hall**

Pages

1. CALL TO ORDER

1.1 TERRITORIAL ACKNOWLEDGMENT

“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.”

2. REQUEST FOR DECISION

2.1	Dr. & Mrs. H.E. Christie Community Foundation Donation - Emery	1 - 4
2.2	Community Support Grants - Fawthrop	5 - 47
2.3	9 LaPlanche Street Development Agreement First Reading - Landry	48 - 70
2.4	96 Church Street Heritage Deregistration - Davidson	71 - 84
2.5	Capital Budget Amendment Asphalt Recycler - Chambers	85 - 87
2.6	Capital Budget Amendment Utility Trailer - Baker	88 - 90

3. CLOSED SESSION

- 3.1 MGA 22(2)(a) - acquisition, sale, lease and security of municipal property**
- 3.2 MGA 22(2)(c) - personnel matters**
- 3.3 MGA 22(2)(e) - contract negotiations**

4. ADJOURNMENT

SYNOPSIS

Dr. & Mrs. H.E. Christie Community Foundation Donation

The Town received correspondence from the Dr. & Mrs. H.E. Christie Community Foundation indicating that they will donate \$500 to the Town provided that the Town, in turn, provides a grant of \$500 to the Fibre Arts Society of Nova Scotia to assist in the cost of the Fibre Arts Festival.

The Foundation is asking if Council will accept this donation from them in the above amount, issue a donation acknowledgement letter and provide a grant as requested.

There would be no financial implications for the Town in this transaction as the grant would be fully offset by the donation. The Town of Amherst has accepted donations of this nature in the past and provided a donation acknowledgement letter to the donor and disbursed funds to the requested recipient. The key is that the disbursement is approved by Council and is for an expenditure which the municipality has the authority to spend.

MOTION:

That Council approve the request to receive a donation of \$500 from the Dr. & Mrs. H.E. Christie Community Foundation to fund a corresponding grant of \$500 to the Fibre Arts Society of Nova Scotia.



AMHERST TOWN COUNCIL

RFD# 2024071

Date: August 12, 2024

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Sarah Wilson, Director of Finance

DATE: August 12, 2024

SUBJECT: Donation Request from the Dr. & Mrs. H.E. Christie Community Foundation

ORIGIN: Correspondence from the Dr. & Mrs. H.E. Christie Community Foundation that they will donate \$500 to the Town provided that the Town, in turn, provides a grant of \$500 to the Fibre Arts Society of Nova Scotia to assist in the cost of the Fibre Arts Festival.

LEGISLATIVE AUTHORITY: Income Tax Act – Canada Revenue Agency Charity Guideline Registered municipalities are considered qualified donees by the Canada Revenue Agency and therefore can issue official donation receipts and are eligible to receive gifts from registered charities.

RECOMMENDATION: That Council approve the request to receive a donation of \$500 from the Dr. & Mrs. H.E. Christie Community Foundation to fund a corresponding grant of \$500 to the Fibre Arts Society of Nova Scotia.

BACKGROUND: The Town of Amherst has accepted donations of this nature in the past and provided a donation acknowledgement letter to the donor and disbursed funds to the requested recipient. The key is that the disbursement is approved by Council and is for an expenditure which the municipality has the authority to spend.

DISCUSSION: The Town received correspondence from the Dr. & Mrs. H.E. Christie Community Foundation advising that their board approved a conditional grant, pending approval from the Town of Amherst in the amount of \$500 to the Fibre Arts Society of Nova Scotia.

The Foundation is asking if Council will accept this donation from them in the above amount, issue a donation acknowledgement letter and provide grants as listed above.

FINANCIAL IMPLICATIONS: There would be no financial implications for the Town in this transaction as the grant would be fully offset by the donation.

COMMUNITY ENGAGEMENT: No community engagement is contemplated in carrying out this request. The community engagement occurred between the Fibre Arts Society of Nova Scotia and the Dr. & Mrs. H.E. Christie Community Foundation.



ENVIRONMENTAL IMPLICATIONS: No environmental implications are anticipated with this business process.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications.

ALTERNATIVES:

1. Decline this request.

ATTACHMENTS:

- Letter from Dr. & Mrs. H.E. Christie Community Foundation re: conditional grant Fibre Arts Society of Nova Scotia.

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



Christie - Smith Community Fund

consisting of

The Hugh E. Christie Fund and the Michael D. Smith Fund
administered by



The Dr. & Mrs. H.E. Christie Community Foundation

P.O Box 986, Amherst, Nova Scotia B4H 4E1
Phone: (902) 667-3209 E-mail: TCCF@eastlink.ca

Christie Fund

Smith Fund

Trustees:

26 June 2024

David H. Christie
Morris J. Haugg
Jennifer Brennan
Barry MacLeod
Donna Fitzpatrick
Mark Carter
Linda Macleod

Town of Amherst
attn: Sarah Wilson
98 Victoria St. East
Amherst, NS
B4H 1X6

Dear Sarah,

At a recent meeting, the Trustees of The Dr. and Mrs. H.E. Christie Community Foundation approved a Conditional Grant of \$500 requested by the Fibre Arts Society of Nova Scotia toward the cost of the Fibre Arts Festival to be held in Amherst October 17 – 19, 2024.

This grant to a non-qualified done is conditional on approval from the Town to facilitate handling of the grant. I am writing to request approval from the Town to receive our funds and forward an equivalent amount to the applicant:

Fibre Arts Society of Nova Scotia
c/o Leslie Hart
24D Durley St.
Amherst, NS B4H 3X7

Please let me know at your earliest convenience your decision on this request.

If there are any questions regarding this matter, please let me know.

Sincerely,

John Matthews, Administrator

JM/hs

SYNOPSIS

COMMUNITY SUPPORT GRANTS

The Town of Amherst provides funding to many community groups throughout the year that are providing services that are a benefit to the residents and or businesses within Town. The Town believes that by providing this funding support, we are facilitating and encouraging our many wonderful volunteers and community groups to build a thriving a resilient community. Generally speaking, applications that actively support inclusion, diversity, accessibility and equity will be given priority, as will those that enhance community well-being and increase the social determinants of health, such as food insecurity, affordable housing, early childhood development, education and social inclusion.

The Town has recently received four applications that fulfill this criterion and we are proud to be able to provide funding to these valuable and worthwhile endeavors.

MOTION:

That Council approve funding in the amount of \$17,500 under the Community Support Grants Policy and Social Equity fund as follows:

**Multi-Cultural Association of Cumberland- \$2,500 (Social Equity)
Welcoming week celebrations**

Fundy Winds- \$3,500 to finish the existing Acadian Trail (Community Support Grant)

Bridge Adult Service Centre- \$1,500 to construct accessible picnic tables for the clients of the Centre (Social Equity)

Amherst Little League- \$10,000 per year for three years to launch their capital campaign for field improvements (Community Support Grant).



AMHERST TOWN COUNCIL

RFD# 2024072

Date: August 12, 2024

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Sharon Bristol, Director Community Living

DATE: August 12, 2024

SUBJECT: Community Support Grants 2024

ORIGIN: 2024-25 Operating Budget

LEGISLATIVE AUTHORITY: MGA 65 Power to expend money: (au) a grant or contribution to (v) any charitable, nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting or social organization within the province; Community Support Grants Policy, 72000-08

RECOMMENDATION: That Council approve funding in the amount of \$17,500 under the Community Support Grants Policy and Social Equity fund as follows:

Multi-Cultural Association of Cumberland- \$2,500 (Social Equity) Welcoming week celebrations

Fundy Winds- \$3,500 to finish the existing Acadian Trail (CSG)

Bridge Adult Service Centre- \$1,500 to construct accessible picnic tables for the clients of the Centre (Social Equity)

Amherst Little League- \$10,000 per year for three years to launch their capital campaign for field improvements (CSG).

BACKGROUND: An annual budget is allocated for community support grants so that the Town can provide assistance in a fiscally responsible manner to organizations that qualify under the criteria set out in the policy. In doing so, the Town encourages and promotes the success of these organizations. It should be noted that these groups fill a significant role in the community.

DISCUSSION: The Town of Amherst Community Support grant and Social Equity funds provides assistance to organizations that promote equity, inclusion and accessibility to the greater community. These four requests meet these requirements and are geared towards creating a welcoming community for existing citizens and newcomers.



FINANCIAL IMPLICATIONS: An allowance remains in the current year budget to address these requests. Currently there is \$24,425 in Community Support Grants and \$28,675 in Social Equity.

COMMUNITY ENGAGEMENT: In response to a public invitation to apply, funding requests were submitted by community groups. Future community and sporting event requests will be dealt with on an individual basis.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications attached to this request.

SOCIAL JUSTICE IMPLICATIONS: Community not-for-profit organizations, sports teams, festivals and events help weave the fabric of our society. When a community has a strong base of supportive organizations dedicated to improving the quality of life for our residents in addition to sports, culture, arts, and events it is enriched in many key ways. In most all cases these organizations rely heavily on outside sources of funding to stay afloat. Due to the nature of the not-for-profit world, it is our opportunity to assist those who work so tirelessly to make our community better. The Town of Amherst, as a funding contributor, helps create a community that all can be proud to live, work and play.

ALTERNATIVES:

1. Approve the funding requests as listed.
2. Discontinue the practice of providing community support grants.

ATTACHMENTS:

- Community Support Grants Policy, 72000-08
- Applications

Date: 2024-07-24

COMMUNITY SUPPORT GRANTS
TOWN OF AMHERST
REQUEST FOR FINANCIAL SUPPORT

1. ORGANIZATION INFORMATION:

Name of Organization: Multicultural Assosication of Cumberland

Full Mailing Address: 92 Church st. Amherst

Contact Person: HeeYeon Son

Email Address: heeyeon.son@halifax.ymca.ca

Telephone: 902-397-4330

2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED \$ 2,500

3. What is the purpose for the funding requested? (Community Event; Tournament - Provincial / National / Invitational; Festival, etc.)

Community Event: Celebrating Welcoming week 2024 in Amherst and Cumberland Area

Welcoming Week is a global movement that brings communities and neighbors of all backgrounds together to build strong connections and achieve collective prosperity.

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)

This year, it will be celebrated from September 13th to 22nd. During this week, community organizations will showcase their services for newcomers, fostering understanding and participation.

Additionally, newcomers will present cultural showcases, such as food, art, and crafts, to share their heritage with the community.

These events will create a welcoming environment for newcomers and provide educational opportunities for locals to understand multiculturalism in our community.

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

NAME	FUNDING IF ANY
YMCA of Cumberland/Cumberland Libraries	
CHB/CANU/Maggie's Place/Cumberland Museum	
YMCA Center for Immigrant Programs YREACH/HIPPY	

7. How many volunteers contribute to this event or festival: 15+

www.amherst.ca
P.O. Box 516, Amherst, NS B4H 4A1
(902)667-3352



Welcoming Week 2024 Budget Breakdown

Contents	Entity	Budget	Total
Food Samples	6	\$250	\$1,500
DJ or Sound System	1	\$300	\$300
Photographer	1	\$200	\$200
Performers	5	\$100	\$500
Grand Total			\$2,500

kdown(Ver-1)

etc

Sarsoza's, Smnile Sushi, Alchegade, Fursion, Bob's,Private vendor(Ukranian)

Arshedeeep

TKD, Bhangra Dance, Henna, singers, Dancers, Instrument

Date: 2024-02-29

COMMUNITY SUPPORT GRANTS
TOWN OF AMHERST
REQUEST FOR FINANCIAL SUPPORT

1. ORGANIZATION INFORMATION:

Name of Organization: Fundy Winds Marsh

Full Mailing Address: 1 Lamy St

Contact Person: Bill Barrow

Email Address: fundywindssociety@gmail.com

Telephone: 902-669-0177

2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED \$5000.00

3. What is the purpose for the funding requested? (Community Event; Tournament - Provincial / National / Invitational; Festival, etc.)

With the World Acadian Congress being hosted in Southwest NS this August, we are anticipating filtering through our area on their travels. Fundy Winds constructed an Acadian Trail last summer and would like to finish the parking lot for that trail, install a flag pole to raise an Acadian Flag.

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)

Increased tourism in the area during August as people drive through, having a place to stop and enjoy the view while they learn about the Acadian connection on the Chignecto Isthmus (Beaubassin) benefit in the areas: hospitality establishments, retail, attending the Acadian Day Festivities

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

NAME	FUNDING IF ANY
Municipality of County of Cumberland	pending grant request

7. How many volunteers contribute to this event or festival: 6

Fundy Winds Society

fundywindssociety@gmail.com 1 Lamy St., Amherst, NS B4H 3T8 902-669-0177

2024-02-29

Town of Amherst
Community Support Grants
Request for Financial Support
PO Box 516
Amherst, NS B4H 4A1
902-667-3352

Attention Community Support Grants Committee,

In addition to the application form, we wanted to attach the budget for the project.

1) Flagpole to Display the Acadian Flag is \$494.98
Flag pole at Amherst Home Hardware is 399.99 plus tax, quick set concrete is \$29.99

Shopping Cart

You are shopping at: **Amherst Home Hardware**
2 Items



Flying Colours International 20' Steel Telescopic Flagpole Kit, with Canadian Flag

#5429-709

\$399.99 /EA

Qty:

remove Quantity add

○

FREE In-Store Pick-up

Estimated Arrival: 2-8 days

○

Ship to Home

Unavailable for Shipping

\$399.99

[Move to List](#) [Remove](#)



Quikrete 22.7kg Quick Set Cement

#2622-870

\$29.99 /BG

Qty:

remove Quantity add

○

FREE In-Store Pick-up

Estimated Arrival: 2-8 days

○

Ship to Home

Unavailable for Shipping

\$29.99

[Move to List](#) [Remove](#)

Order Summary

Subtotal \$429.98

Estimated Tax \$64.50

Estimated Total \$494.48

Add a promo code

Checkout

2) Gravel and rock to finish the parking area and existing Acadian Trail. \$3500.00
Gravel will be delivered and distributed by Fundy Landscaping.

3) 2 Large sandstone rocks which are historic artifacts of the Ship Railway in Fort Lawrence. The site is being lost to the tides. With the construction of the improved dykes in Fort Lawrence they will be lost completely. It will cost \$1000 to move two of the rocks to the Acadian Trail area of Fundy Winds Marsh. An Interpretive plaque will be made to provide education on the Ship Railway and its engineering feats through this area. We are actively working with the Department of the Environment for NS, the County of Cumberland, the Premier's Office.

Date: March 8, 2024

COMMUNITY SUPPORT GRANTS
TOWN OF AMHERST
REQUEST FOR FINANCIAL SUPPORT

1. ORGANIZATION INFORMATION:

Name of Organization: Bridge Adult Service Centre
Full Mailing Address: 16 Station Street
Amherst, N.S. B4H 0C2
Contact Person: Joanne Hopper
Email Address: b.workshop@ns.sympatico.ca
Telephone: _____

2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED \$ 13,064.00

3. What is the purpose for the funding requested? (Community Event; Tournament - Provincial / National / Invitational; Festival, etc.)

Please find attached.

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)

Please find attached.

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: _____





Bridge Adult Service Centre

16 Station Street
Amherst N.S.
B4H 0C2
902-667-8433

b.workshop@ns.sympatico.ca

Community Support Grants Town of Amherst

#3- The purpose of this funding request is to build a walking track that encircles the Bridge Adult Service Centre. In addition, the space needs a wheelchair accessible picnic table for clients that are unable to utilize a standard sized picnic table.

#5- The expected benefits are to offer an inclusive space to take part in active living for the clients and staff. The track will be fully accessible and will encourage the clients and staff to take steps towards better physical and mental health. Having the walking track built onsite will enable people that are unable to leave the property while attending programs and services at the Bridge to have a space that is convenient to utilize.

Sincerely,

Joanne Hopper

Executive Director

Bridge Adult Service Centre



ATTN: Joanne Hopper
Executive Director
Bridge Adult Service Centre
16 Station St, Amherst NS
(902) 667-8433

DATE: March 5, 2024

RE: Estimate to install new concrete walking track, new concrete wheelchair ramps, and asphalt paint walking track onto existing asphalt as discussed during site visit on March 5, 2024:

- 1) **NEW CONCRETE WALKING TRACK BEHIND BUILDING and TWO NEW CONCRETE WHEELCHAIR RAMPS:** (approximately 175FT x 4FT x 4" thick, using 32MPA concrete, 6" compacted gravel base, steel and fibre reinforcing) = \$9,500.00 +HST 1,425 = 10,925
- 2) **PAINT NEW 4FT WIDE WALKWAY ON EXISTING ASPHALT TO COMPLETE THE TRACK LOOP:** (approximately 220FT x 4FT, includes cleaning/pressure washing asphalt then applying professional grade asphalt paint,) = \$1,500.00 +HST 225 = 1,725

NOTES:

- 1) This quote is valid for 60 days from date shown.
- 2) If customer wants to change dimensions or layout, price may need to be adjusted.
- 3) All concrete will be reinforced with ½" Steel Rebar 18" o/c as well as fibre-mesh reinforcement in concrete
- 4) Price includes 6" compacted ¾" Class A sub-grade bedding material, and 4" thick concrete
- 5) Concrete surface to be finished with standard broom finish
- 6) Price includes minor landscaping remediation, including fixing up mixer truck ruts, re-topsoiling and seeding around finished concrete.
- 7) Customer to supply continuous water supply for curing first 48 hours after concrete is placed and finished.
- 8) Concrete is made from natural materials and colour variations will occur.

Kraig Morris,
PENMOR Construction
penmorconstruction@gmail.com
(902) 664-4110

PHONE 902-667-2688

17 MILL AVENUE

AMHERST, N.S. B4H 1C9 MARCH 6 20 24

M. Bridge WORKSHOP

16 STATION ST AMHERST

IN ACCOUNT WITH

J. A. RICHARD & SON

SASH FACTORY AND GENERAL WOODWORK

Quote only							
1 TABLE TO SAMPLE							
ALL STOCK & LABOUR				}		360.00	
					HST	54.00	
					TOTAL	414.00	



ATTN: Joanne Hopper
Executive Director
Bridge Adult Service Centre
16 Station St, Amherst NS
(902) 667-8433

DATE: March 5, 2024

RE: Estimate to install new concrete walking track, new concrete wheelchair ramps, and asphalt paint walking track onto existing asphalt as discussed during site visit on March 5, 2024:

- 1) **NEW CONCRETE WALKING TRACK BEHIND BUILDING and TWO NEW CONCRETE WHEELCHAIR RAMPS:** (approximately 175FT x 4FT x 4" thick, using 32MPA concrete, 6" compacted gravel base, steel and fibre reinforcing) = **\$9,500.00 +HST**

- 2) **PAINT NEW 4FT WIDE WALKWAY ON EXISTING ASPHALT TO COMPLETE THE TRACK LOOP:** (approximately 220FT x 4FT, includes cleaning/pressure washing asphalt then applying professional grade asphalt paint,) = **\$1,500.00 +HST**

NOTES:

- 1) This quote is valid for 60 days from date shown.
- 2) If customer wants to change dimensions or layout, price may need to be adjusted.
- 3) All concrete will be reinforced with ½" Steel Rebar 18" o/c as well as fibre-mesh reinforcement in concrete
- 4) Price includes 6" compacted ¾" Class A sub-grade bedding material, and 4" thick concrete
- 5) Concrete surface to be finished with standard broom finish
- 6) Price includes minor landscaping remediation, including fixing up mixer truck ruts, re-topsoiling and seeding around finished concrete.
- 7) Customer to supply continuous water supply for curing first 48 hours after concrete is placed and finished.
- 8) Concrete is made from natural materials and colour variations will occur.

Kraig Morris,
PENMOR Construction
penmorconstruction@gmail.com
(902) 664-4110

Date: March 25/24

COMMUNITY SUPPORT GRANTS
TOWN OF AMHERST
REQUEST FOR FINANCIAL SUPPORT

1. ORGANIZATION INFORMATION:

Name of Organization: Amherst Little League Baseball Club
Full Mailing Address: 1293 Heritage Rd
Amherst NS B4H 2Y3
Contact Person: Mike LeBlanc
Email Address: m and k leblanc@postlink.ca
Telephone: 6064-9999

2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED

\$ 10,000⁰⁰

3. What is the purpose for the funding requested? (Community Event; Tournament - Provincial / National / Invitational; Festival, etc.)

See attached

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)

See attached

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

NAME	FUNDING IF ANY
<u>See attached</u>	

7. How many volunteers contribute to this event or festival: 100+

www.amherst.ca
P.O. Box 516, Amherst, NS B4H 4A1
(902)667-3352





Dear Council & Mayor,

The Amherst Little League Baseball Club has had three fantastic seasons since the Covid 19 pandemic. We have introduced and implemented a very successful girls program, we have increased our age limits to 15 and under and we have also increased registration number to 415 members. This makes us the biggest recreational sport program in Cumberland County, overtaking both hockey and soccer by 100+ members. We believe the biggest reason for our success is the cost. It is free to play baseball and we hit a different demographic in the community. Offering a free sport (likely the only baseball organization in Canada), owning your own facility and having your own employees can have it challenges, but we have succeeded.

With all of this success comes challenges. The disadvantage of offering free programming is that there are no left over funds for major upgrades to the facility. In reality our facility is a multi-million dollar facility which needs some upgrades! We need your help with facility upgrades!

We can operate the day to day operations with the budget that we have implemented, however we need funds for maintenance and upgrades to our aging facility. Our facility is aging before our eyes and we need some help before it is too late.

We have put together some projects that we are working on this spring and fall and we are requesting financial help. We have put them into two phases. Phase one will be implemented right away and phase two will be implemented in the fall of this year.



Phase 1 upgrades (To be completed this Spring)

1. Batting Cage

I am proud to announce that with many partners helping out financially that our batting cages have been purchased and have arrived. The cost to install the cages is \$7000 as they need to be excavated into the ground and 6 posts need 2 foot concrete around them. Jim Baker is doing the work in May. Another item that we need to go along with the batting cages is a small baby barn, pitching machines, pitching machine balls, 2 batting mats and electricity hook up.

Estimated cost \$15,000





2. Portable Pitcher's Mound

Our fields are used by a number of different age groups with different field specifications. We have had a challenge meeting the needs of all of these different groups which include 11U, 12U girls, Little League and 13U. All these divisions have different pitching distances (44, 46 and 48ft) making it a challenge to host tournaments and play at regulation distance. Last year we hosted a few significant tournaments and plan on more this season. We are thinking about taking the mounds out and making the field flat and using a portable mound on both fields to allow games to be played at the proper distance. We would need two of these portable mounds. These mounds are manufactured in the United States. Additional expenses have been adjusted to allow for shipping, duty and the US dollar.



Estimated cost is \$12,000

SKU: TPM-202-6C

TRUE PITCH MOUND 202-6 CHOCOLATE

\$3,795.00 US

STOCK COLORS



GREEN



COPPER



TAN



TERRACOTTA



3. Score Boards

The scoreboards at the facility date to 1990 and 1992. We cannot find the proper bulbs to replace the burnt out ones, as all new scoreboards are now LED. The current scoreboards only work half of the time which is super frustrating. We are hoping to replace this in the coming months.

Estimated Cost is \$33,350





POINTAGE
Pro

☎ 450 447 3698 ☎ 514 247 0887
 ✉ info@pointagepro.com
 📍 20, Terrasse Hertel | Chambly QC J3L 5P2
 pointagepro.com
 RBQ: 510-784 01



SOUSSION

SOUSSION #: 1842

SOUSSION A L'ATTENTION DE:

Compagnie: AMHERST LITTLE LEAGUE BASEBALL
Nom: Mr.Steve Wells
Adresse: 185, Church Street
Ville: Amherst (Cumberland) NS B4H 3Z5
Téléphone: 902-694-7818
Courriel: wellsse@anspss.ca

ADRESSE D'EXPÉDITION:

Compagnie: AMHERST LITTLE LEAGUE BASEBALL
Nom: Mr.Steve Wells
Adresse: 185, Church Street
Ville: Amherst (Cumberland) NS B4H 3Z5
Téléphone: 902-694-7818
Courriel: wellsse@anspss.ca

INFORMATIONS:

Date de la soumission: 10-nov-23 **Prix valide jusqu'au:** 09-Janv-24 **# du projet:** Baseball 10' x 4' **Soumission préparée par:** Francyme Caron

DESCRIPTION	QUANTITÉ	PRIX
Baseball Scrub.Model 1610 no control	1	14 566,00 \$
MPCX-2 Control	1	Included
Receiver MPCX-2 - Outside	1	Included
Ship cost		618,38 \$
Pointage Pro 5% Discount		(728,30) \$
OPTIONS		
Baseball Scrub.Model 1610-W - White LED	8 337,00 \$	
ADO10-2 Add panel non-illuminated	1 036,00 \$	
ADO10-2 Arched Add panel non-illuminated	1 896,00 \$	
TERMES	SOUS-TOTAL:	14 456,08 \$
	GST	2 168,41 \$
	TOTAL:	16 624,49 \$



OPTIONS

Baseball Scrub.Model 1610-W - White LED
 ADO10-2 Add panel non-illuminated
 ADO10-2 Arched Add panel non-illuminated

TERMES

Our invoice are payable on reception. Warranty of 5 years. Time of production and delivery allow 12-14 weeks. Choice of color of scoreboard on page 2 of specification sheet.

MERCI DE VOTRE INTÉRÊT POUR NOTRE ENTREPRISE!



4. Sound System

The sound system is SO old that the equipment says Radio Shack. We have had many people in to look at fixing it from the community over the past two seasons, the reality is, it needs replaced badly with a good system that will stand the test of time. We have done a lot of research and have talked to many other leagues in the area. Attached is the quote for the system that the Sydney Little League and Moncton Minor baseball both use. We have multiple fields and need multiple systems. See attached quote in US dollars.

Estimated Cost is \$21,500

1 Crutchfield Park
 Charlottesville, VA 22911
 Phone 434-817-1000 Fax 434-817-1010

DATE:
 November 24, 2023

Quote Number:
 1368293

Bill To:
 MIKE LEBLANC

Ship To:

Expiration Date:
 December 4, 2023

Phone: (902)664-9999

Account:

QUANTITY	ITEM NUMBER	DESCRIPTION	COST	AMOUNT
6	907ADS10TB	QSC 2-way 10" speaker BK 2-way 10" Surface mounted speaker BK	\$ 1834.00	\$ 11,004
1	845MG10	Yamaha MG10 Mixing Board 10 CH	\$ 409.98	\$ 409
2	899VP10	Samson R21S/MK10/1/4"-XLR Mic Clip included Value Pack	\$ 49.99	\$ 99
2	183B24S59	Shure BLX Wireless System H9 Wireless HH System BLX2/SM58 BLX4	\$ 349.00	\$ 698
2	859XLS2502	Crown XLS 2502 Power Amp Drive Core	\$ 805.00	\$ 1,610
2	051CFR1610	Senus CFR1610 10U Stackable Skeleton Rack	\$ 299.99	\$ 599
2	756M8X2	Furman 15A standard power cond B outlet, 1U rack space	\$ 99.95	\$ 199
6	979XLR105	HOSA XLR3F to XLR3M, 5 ft Balanced Interconnect	\$ 11.95	\$ 71
4	452J1425HW	OSD 14/2 CL3 Speaker Wire 500' White	\$ 249.99	\$ 999
1	000TIM	Tim's Custom Design	\$ -	\$ -
1	000LTL	Ship Entire Order via Freight Corporate Freight Shipment	\$ -	\$ -

SHIPPING	FRI
SALES TAX COLLECTED	\$ 0.
TOTAL	\$ 15,693.00

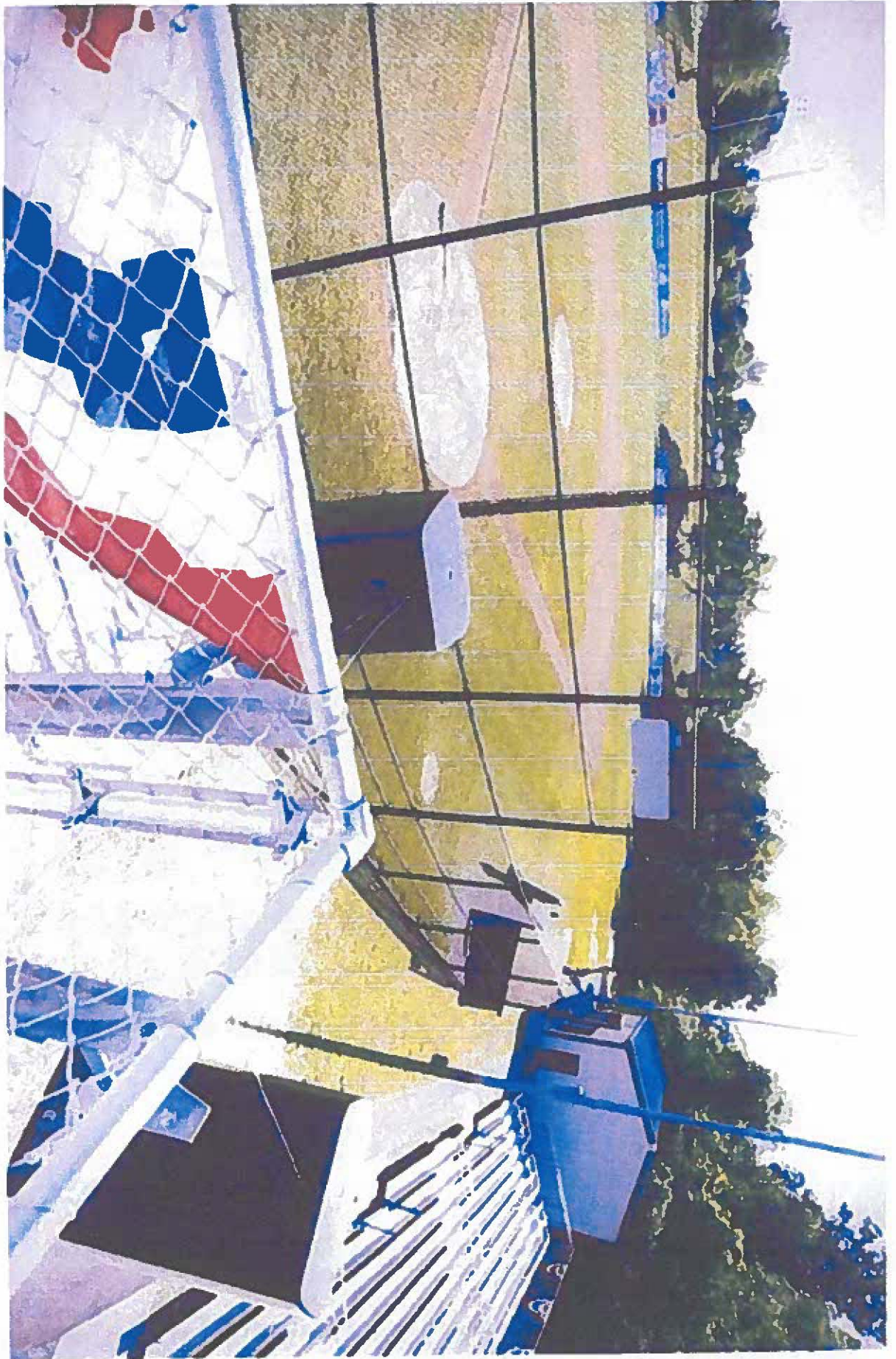
Notes: Please click Add to Cart button to view items on the Crutchfield website



For any further questions contact Timothy Echols @ 434-328-7081 or techols@crutchfield.com

Thank You for the Opportunity to Earn Your Business!

Crutchfield collects state sales tax on items shipping to the following states unless valid tax exempt documentation has been received:
 AK, AL, AR, AZ, CA, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NJ, NM, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
 In other states where we don't collect sales tax, it is the customer's responsibility to assure that all appropriate state use taxes are paid.
 Please note, it may take 1-2 business days to process your tax exempt documentation for the first order.





5. Roof

Our roof is only 20 years old, however it has taken a beating the last three years with the wind! We have lost shingles on a number of occasions and have also lost roof cap this past winter as pictured below. It is a constant stressor for the executive with every wind storm we have. Our executive agree that a 50 year metal roof should be installed at the facility this summer.

Estimated cost is \$28,208.86



Nick Bowden Construction

227 D'Orsay rd
East Amherst, Nova Scotia B4H3Y2
Phone: (902) 664-6264
Email: nickbowdencontracting@gmail.com

Estimate # 58
Date 16/01/2024
Business / Tax # 72886 8878 RT0001/
Insured

Description	Rate	Quantity	Total
metal material/1x4 strapping/screws& labor	\$24,529.44	1	\$24,529.44
	Subtotal		\$24,529.44
	Hst		\$3,679.42
	Total		\$28,208.86



Phase 2 Upgrades (To be completed this Fall)

6 Backstop on the Landry Park

Our backstop is in desperate need of repair. It is failing in a few spots and has exceeded its time period. We will play for one more season with the current backstop and then it will need replaced this fall to be ready for the 2025 season. We feel the reason for repair is due to the salt from the road which is in close proximity to the backstop, which has eaten away at the metal.

Estimated Cost is \$52,227.25



EASTERN FENCE LIMITED

80 Henri Dunant St., Moncton, New Brunswick, E1E 1E6



December 21, 2023

Amherst Little League Baseball
47 Croft Street
Amherst, NS B4H 4W4

Attention: Tim Larade

Phone: 902-660-2831

Email: amherstllb.facility@gmail.com

Thank you for the opportunity to submit our quotation to you for commercial fencing as follows:

- Remove and dispose of existing 16 ft. high backstop. Existing fence to be dismantles and existing posts in footings to be pulled.
- Supply and install 1 – 20' high galvanized chain link backstop (no overhang). All posts to be dug and set in concrete.

Our Quotation \$45,415.00

Note: -Existing signage and cages on existing backstop to be removed by others prior to installation. \$ 52,227
w/ke for
 -Repairs for damage to structure caused by the fence post removal is not included.
 -Quote reflects springtime installation.

- *H.S.T. is extra. Prices are valid for 30 days.*
- *The establishment of property lines, the location of private underground utilities, and the procurement of building permits, are the sole responsibility of the customer.*
- *Snow removal and winter working conditions, not included in this quotation.*

If you would like us to proceed with the installation of your fence, please respond via e-mail acknowledging your acceptance of this quotation or by signing and returning a copy to our office. Our terms are payment due upon receipt of invoice unless prior credit terms have been arranged.

Eastern Fence carries complete Workers Compensation coverage and Liabilities Insurance to protect our employees as well as you our customer. We look forward to hearing from you in the near future.

EASTERN FENCE LIMITED

Quotation Accepted By: _____
Date: _____

Kieran Delaney, BSCE
Sales Department

KD/ic
Our Reference #24-0102

CARRYING CHARGES OF 2% PER MONTH, 24% PER ANNUM CHARGED ON ALL OVERDUE ACCOUNTS

506.857.8141

TOLL FREE: 1.800.581.7986

FAX: 506.859.7295

sales@easternfence





7 Score boxes

Our score boxes are in need an upgrade. They have rotten wood in many spots. We think this is the right time to upgrade the score boxes as the backstop will be getting replaced as well at the same time.

Estimated Cost is \$20,000





8 Raising the Dugouts

Our 4 original dugouts need replaced. They do not meet today's standards as they are sunk into the ground. Our plan is to raise them above the ground, much like Robbs complex. We have received a quote to \$40,000 per dugout. We plan to replace all 4 sunken dugouts. We feel we can get better pricing in the coming months. We are still pursuing other for quotes. We have estimated this cost at \$30,000 per dugout and tax.

Estimated Cost is \$138,000





We feel that the Amherst Little League makes a significant impact on the people in this area by teaching children crucial skills at a young age. It is important that these facility enhancements happen in a timely manner to ensure baseball thrives in the community.

Thank you for being a supporter of the Amherst Little League and its programming. We look forward to hearing from you in the coming weeks.

Our budget for these special projects is as follows:

Phase 1 Expenses	\$110,058.60
Phase 2 Expenses	\$210,227.25
Total Cost	\$320,285.85

Income

Municipality of Cumberland	\$100,000
Town of Amherst	\$100,000
Nova Scotia Grant (PDAF)	\$50,000
*Various sources of income	\$71,000

**It is important to note that we have received \$18,000 from the Christie Foundation for Score clocks or sound systems.

Various sources of Income include

League fundraiser, Christie Foundation, Fire Department, Amherst Ramblers, Maltby Foundation, Lions Club, Knights of Columbus

Thank you for considering our request,

Mike LeBlanc – Amherst Little League Vice President

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

APPROVAL DATE: October 30, 2023

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

- 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. 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.

5. PROGRAMS

The following are a list of the grants available:

a. Sport, Arts, and Culture

Maximum funding considered will be \$1000 for a team and \$250 for an individual:

- i. This includes amounts for teams / groups and individuals traveling to Provincial, National and International competitions and events when the Amherst based teams or individual have been successful at a regional qualifying competition recognized by its relevant provincial or national umbrella organization, or have been invited by such an organization;
- ii. The team / group is in the Town of Amherst and is considered by the provincial or national umbrella organization to be the home for the team;

TITLE: Community Support Grants Policy
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- iii. The individual is competing / attending 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 / event.

b. Festivals, Arts and Cultural Events Grants

Under this component will generally not exceed \$5,000

- i. Event must demonstrate broad community support;
- ii. Provides an experience not duplicated by other ongoing events, festivals or activities.
- iii. Draw spectators locally, from the Maritimes, nationally or internationally and increases the profile of our community;
- iv. 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.

d. Funding for Social Equity Initiatives

For the purposes of this policy, "Social Equity Funding" is defined as the annual funding allotment within the Community Support Area Rate, including any reserves for this purpose, to be used for initiatives that specifically target social equity issues. All applications which Council feels meet this definition and for which Council is considering funding from the annual Social Equity Funding allotment or associated reserves set aside for this purpose will be referred to the respective committees 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 Social Equity 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.

6. 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.

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

- 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.

7. 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.

8. 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 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.

9. PAYMENT PROCESS

For amounts over \$1,000 payment will be made at time of award 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

10. 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
 - v. Recipients from previous years who received over \$2,000 will be asked to complete a report detailing expenses and impact on the community or individual. This report will be sent prior to the call for applications each year. This report must be completed prior to the new application being considered.
- 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.

TITLE: Community Support Grants Policy
SECTION: All Town Departments
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- 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.

11. 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

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, Arts/Culture Events, Festivals, 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

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

Amendments 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
Amendment to policy to remove Deed Transfer reference from Poverty Funding. Rename Poverty Funding to Social Equity.	Director Community Living, Bristol	Council	April 24, 2023
Eliminate section 4 as it is exclusionary of other organizations; amend Section 9 Payment Process to eliminate the two phased payment approach as this is administratively time consuming and places undue pressure on community organizations; and amend Section 10 Conditions to include the reporting requirement for organizations who intend to reapply for future grants. This will allow for transparency on how funds are used and the impact on the community.	Director, Community Living, Bristol	Council	October 30, 2023

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

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 27 February 2023 24 April 2023
30 October 2023

SYNOPSIS

Development Agreement

9 Laplanche Street

First Reading

The owner of 9 LaPlanche Street has applied for a development agreement to permit the conversion of the second and third floors of an existing building into six dwelling units.

A public participation opportunity was held on June 20, 2024. No concerns were raised by the public. On July 2nd, the Planning Advisory Committee recommended that Council enter into the agreement as drafted.

The attached draft development agreement contains terms and conditions intended to address the relevant policies of the Municipal Planning Strategy. The development will result in much needed housing in the downtown core.

MOTION:

That Council give First Reading of the development agreement for 9 LaPlanche Street and schedule a public hearing for Thursday, September 5, 2024 at 12:00 noon in Council Chambers.

TO: Mayor Kogon and Members of Council

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

DATE: August 12, 2024

SUBJECT: 1st Reading - Development Agreement – 9 LaPlanche Street

ORIGIN: An application by Jeanault Lasnier of Camaleon Holdings for a development agreement (DA) to allow the development of six apartment units within an existing structure.

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

PAC RECOMMENDATION: On July 2, 2024, the PAC recommended that Council enter into the attached Development Agreement for 9 LaPlanche Street that would permit the development of six apartment units on the currently vacant upper floors of the existing building.

BACKGROUND: Attached is the draft development agreement, staff report to the PAC and a PPO meeting briefing. The developer proposes to add six apartment units into an existing building. The bottom main floor is currently commercial use and will remain as such. There is parking onsite already located to the right side of the building and green space to the left, which will remain. The only alterations to the building will be the addition of fire exits and escapes located to the rear of the building as required by the Building Code.

DISCUSSION: As detailed in the attached staff report to the PAC, the proposal meets the general intent of MPS policies. The PAC recommended approval of the DA.

FINANCIAL IMPLICATIONS: There are no financial implications.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications.

COMMUNITY ENGAGEMENT: An advertised Public Participation Opportunity was held on June 20, 2024. No members of the public spoke to this application. A Public Hearing will be held if First Reading is given. If approved, notice of the right to appeal Council's decision will be published in the local newspaper.





AMHERST TOWN COUNCIL

RFD# 2024073

Date: August 12, 2024

ALTERNATIVES:

- 1) Give First Reading of the application with specific amendments where necessary;
- 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;
- 3) PPO Application Briefing

Report prepared by: T. Laux

Report and Financial approved by:



Case No: DA-2024-XX

This Agreement made this _____ Day of _____ 2023.

Between:

Jeanault Lasnier (owner of property located at 9 LaPlanche Street [PID 25022872, 25022922, and 25005828], 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 renovate an existing building to include six new apartment units on property located at 9 LaPlanche Street [PID 25022872, 25022922, and 25005828

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 ___ Day of _____ 2024, 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

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 are the only lands in the Town of Amherst to which this Agreement applies, and the Lands are illustrated in the plan shown on Schedule B attached.
- 2) That the Owner may construct six (6) apartment units on the second and third floors of the existing building, subject to Schedules A and B 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 AND DELIVERED

In the presence of

THE TOWN OF AMHERST

David Kogon MD, Mayor

Jason MacDonald, MCIP, LPP, CAO

FOR THE OWNER

Jeanault Lasnier
Camaleon Holdings

Schedule A

9 LaPlanche Street, PID 25022872, 25022922, 25005828 - Development Agreement

Terms and Conditions:


1. USE OF LAND AND BUILDINGS

- 1.0 The use of the property shall be limited to ground floor commercial uses and six (6) apartment units within the second and third floors of an existing building located on property shown on Schedule 'B'.
- 1.1 The ground floor of the building will not contain residential uses except for access to the upper floors.
- 1.2 Prior to issuance of a Building Permit, the Owner shall submit construction drawings as required by the Building Code to the satisfaction of the Building Inspector.
- 1.3 The Owner shall be responsible for ongoing compliance with the Town of Amherst Solid Waste Bylaw, including but not limited to, maintenance of solid waste containment where located outside the building.

2. 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 or streets.
- 2.4 The Owner shall take all reasonable steps to maintain a clean worksite during construction by picking up building material waste, and taking all reasonable measures to minimize dust.
- 2.5 Accessory buildings may be permitted on the Lands in accordance with the Town of Amherst Land Use Bylaw.

Schedule B

 9 Laplanche Street (PID 25022872, 25022822, 25005828)



Public Advisory Committee

Development Agreement to Permit the Construction of 6 units within an existing structure.

July 2, 2024



Disclaimer

These applications are not the Town's proposal. It is a property owner's right to make an application for a development agreement or a zoning map amendment. No approval or decisions have been made.

Purpose

The purpose is **to ensure public involvement in the planning process** when a development requires a development agreement or amendments to existing planning documents. **To explain the concept of a “development agreement”** and how it is administered in the Town of Amherst and **describe the proposal while outlining the relevant land use bylaws and policies.**

Development Agreement

What is a Development Agreement (DA)?

A development agreement is a **legally binding contract between a property owner and the Town that stipulates standards, design requirements, terms, and conditions** to which the property owner must adhere.

Aspects of a development that may be addressed in this agreement include:



Architectural Design

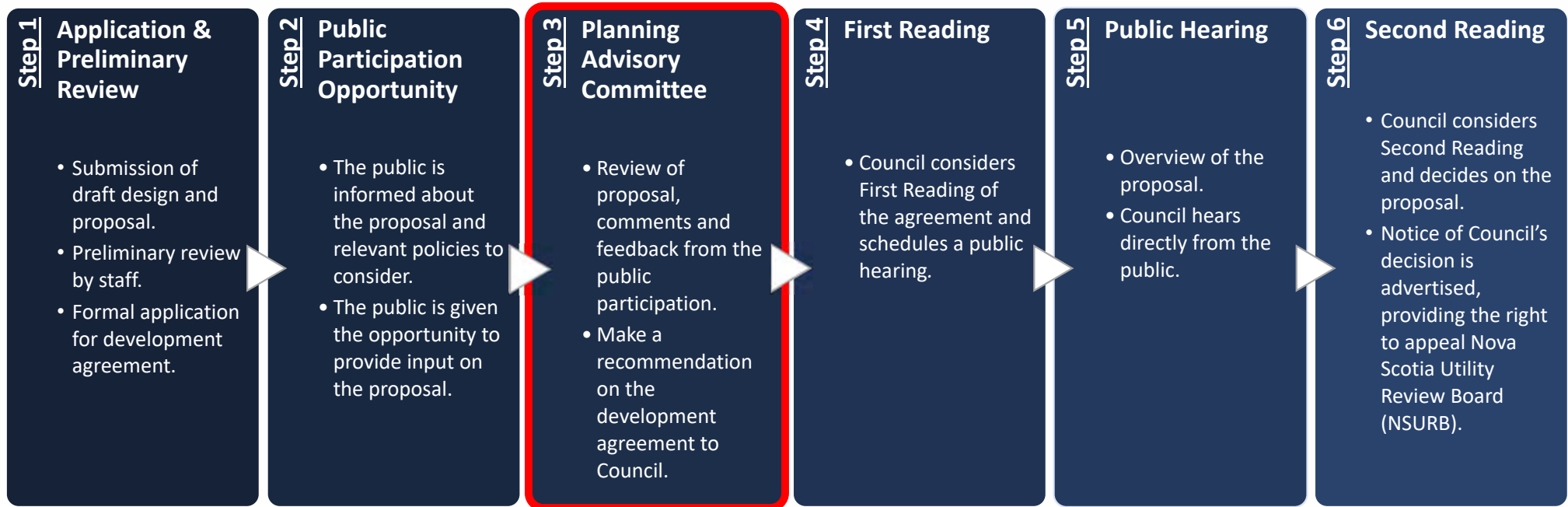
Parking

Landscaping

Drainage

A development agreement may also influence the use, of fencing and other similar site features to ensure the matter is addressed adequately, stipulate how the project should be phased, enforce certain special requirements, and require the developer to make contribution towards funding public infrastructure.

Development Agreement Process



Application Details

Applicant/ Owner: Jeanault Lasnier, Camaleon Holdings.

Summary of Proposal: to create 6 units on the upper floor within the building

Location: 9 LaPlanche St. (PID: 25022872, 25022922, and 25005828)

Total Property Area: 1347 sqm (14500 sq ft)

Existing Zoning: Downtown Zone – Core Area

Existing Land Use: Commercial, Parking Lot

Street Frontage: 51m along LaPlanche St.



#seewhyweloveit

Amherst
NOVA SCOTIA

Neighbourhood Context

- Located in the Downtown Core Area between LaPlance St and Eddy St.
- Town Hall and Burbine's Gym are located to the South and a 5-minute walk to Lawtons Drugs.
- Located on three lots, parking space to the right and green space to the left
- TD Canada Trust and Dayle's Grand Market to the north



#seewhyweloveit

Amherst
NOVA SCOTIA

Relevant Planning Bylaws & Policies

1. General Land Use and Development Policies

GP-4 (Efficient Development)

It shall be the intention of Council to ensure that growth and development within the Town is efficient and cost effective by:

- (a) facilitating the contiguous expansion of the built up areas of the Town;
- (b) limiting development in un-serviced areas of the Town;
- (c) concentrating new development in adequately serviced and properly planned areas;
- (d) encouraging and facilitating infill development on underutilized properties within the built up area of town.

GP-7 (Compatibility)

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.

Relevant Planning Bylaws & Policies

2. Residential Policies

RP-9 (Medium and High Density By Development Agreement)

Within the Residential Designation, 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:

- (a) ensure that the structure 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 & Policies

2. Residential Policies

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.

Relevant Planning Bylaws & Policies

3. Implementation Policy

A-5 (Amendment Criteria)

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:

1. 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.

MEMO

TO: Planning Advisory Committee
FROM: Torben Laux, Land Use Planner
DATE: July 2nd, 2024
RE: **Development Agreement – 9 LaPlanche Street**

PROPOSAL

An application by Jeanault Lasnier of Camaleon Holdings for a development agreement (DA) to allow the renovation of an existing building, located on 9 LaPlanche Street. The development agreement would allow the creation of six new apartment units on the second and third floors.

PUBLIC PARTICIPATION

A Public Participation Opportunity (PPO), advertised in accordance with the Policy for Public Participation and Notification, was held on June 20th. No members of the public spoke to this application.

BACKGROUND INFORMATION

The attached application briefing provides the site details, neighborhood context, and building proposal details. The developer proposes six units within an existing structure located in the Downtown Core Area. The building is situated on three PIDs: 25022872, 25022922, and 25005828, with the structure on the middle one. The structure currently has commercial use on the first floor, with the second and third floors empty and ready for development. The proposed units would be located on the second and third floors, with three units on each.

Onsite parking exists to the right of the building, and greenspace is to the left. The exterior will remain largely untouched, except for the addition of fire exits and fire escapes located at the back of the building as may be required by the Building Code.

RELEVANT POLICIES

1. Residential Policies (RP)

RP-9 (Medium and High Density By Development Agreement)

Within the Residential Designation, 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:

- (a) ensure that the structure 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 development would not be relocating or constructing a new building but using the existing structure to densify. Furthermore, sufficient on-site parking already exists, therefore, satisfying this policy.

2. General Land Use and Development Policies (GP)

GP-4 Efficient Development)

It shall be the intention of Council to ensure that growth and development within the Town is efficient and cost effective by:

- (a) facilitating the contiguous expansion of the built up areas of the Town;*
- (b) limiting development in un-serviced areas of the Town;*
- (c) concentrating new development in adequately serviced and properly planned areas;*
- (d) encouraging and facilitating infill development on underutilized properties within the built up area of town*

The proposed development would satisfy this policy by using existing space to create new apartment units.

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 draft DA mainly address (c) the regulation of the location of parking, storage buildings and other accessory uses or facilities as much of the current site will remain the same.

5. Implementation Policy

A-5 (Amendment Criteria)

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 meets the intent of the relevant town bylaws and regulations. 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. With regard to subsection (c), the proposed use does not conflict with the existing uses in the neighborhood and the dimensions fit other existing developments in the area. Parking and traffic generation is not to be an issue for the area.

DISCUSSION & CONCLUSION

Staff feel the draft DA is in keeping with the general intent of the relevant policies of the MPS. The proposal has the potential to have a significant positive impact not just for the Town of Amherst by

addressing the shortage of suitable and affordable housing. This development is appropriate for the area in terms of its height, bulk, and general built form.

The following decision options are therefore put forward:

OPTIONS:

Option One: Recommend that Council enter into the Development Agreement for 9 LaPlanche Street Development as drafted.

Option Two: Recommend that Council not enter into the Development Agreement 9 LaPlanche Street.

Option Three: Defer a decision and request additional information and /or changes to the proposal.

STAFF RECOMMENDATION: Option One.

SYNOPSIS

96 Church Street

Heritage Deregistration

The owner of the 96 Church Street has requested that the property be removed from the Municipal Heritage Registry due to its deteriorating condition, high maintenance costs, and as stated in the applicant's letter, to improve prospects of the sale of the property. Tom Mattinson, owner of Six Point Star Homes, is interested purchasing and converting the building into a six-unit apartment dwelling. The renovation would not significantly change the building footprint, rooflines, windows or door openings; however, it would change the exterior with updated materials while attempting to retain as much of the original architectural features as possible.

The Nova Scotia Heritage Property Act allows deregistration of a heritage property only if it has lost its heritage value and after a public hearing. On July 2nd the Heritage Advisory Committee recommended that Council refuse to deregister the property at this time; however, expressed a willingness to approve a substantial alteration that may reduce the heritage value of the building. The decision to allow or reject a substantial alteration is the Heritage Advisory Committee's to make.

MOTION:

That Council refuse the request to remove 96 Church Street from the Heritage Registry; however, encourage the Town's Heritage Advisory Committee to approve a substantial exterior alteration that may reduce the heritage value of the building.

TO: Mayor Kogon and Members of Council

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

DATE: August 12, 2024

SUBJECT: 93 Church Street – request removal from the Heritage Registry

ORIGIN: An application by Trish Mooney to deregister 96 Church Street from the Municipal Heritage Property Registry.

LEGISLATIVE AUTHORITY: *Nova Scotia Heritage Property Act.*

HAC RECOMMENDATION: On July 2, 2023, the Heritage Advisory Committee (HAC) recommended that Council refuse to deregister the property; however, expressed a willingness to approve a substantial alteration that may reduce the heritage value of the building.

BACKGROUND: Attached is a July 2nd staff report to the HAC that provides further detail and context to this issue. Also attached is an excerpt from the HeritagePlaces.ca webpage that details the property’s heritage value, the applicant’s letter requesting deregistration of the property, and Six Point Star Homes’ renovation proposal sketch.

The applicant seeks to deregister the property due to its deteriorating condition, high maintenance costs, and as stated in the applicant's letter, to improve prospects of the sale of the property. Tom Mattinson, owner of Six Point Star Homes, is interested purchasing and converting the building into a six-unit apartment dwelling. He does not intend to change the building footprint, rooflines, windows or door openings. He does intend to refinish the exterior with low maintenance materials, including new roofing, siding, windows and doors. He is agreeable to attempting to retain some the architectural details, but with updated material replacements not refinishing of existing materials. Attached is Mr. Mattinson’s proposal sketch that retains the many of the original architectural characteristics of the building.

Deregistration

Registered heritage properties are applicable to the Nova Scotia Heritage Property Act (Act). Under section 16 of the Act, Council may deregister a property where:

- a) The property has been destroyed or damaged by any cause; or
- b) the continued registration appears to the council to be inappropriate as a result of the loss of the property’s heritage value, [...], unless the loss of the heritage value was caused by neglect, abandonment or other action or inaction of the owner; and,
- c) a public hearing is first held to consider the deregistration.





AMHERST TOWN COUNCIL

RFD# 2024074

Date: August 12, 2024

Alterations

Under Section 18 of the Act, if alterations are considered substantial, they must be approved by the Heritage Advisory Committee.

DISCUSSION: The best-case scenario would be the completion of a sensitive restoration of this heritage asset to be as close to its original state as possible. However, there is legitimate concern that insisting on this standard may jeopardize a more practical middle ground that results in a refurbished building with six new dwelling units that maintains references to the previous character. To this end, staff and the HAC recommend that Council refuse to deregister the property at this time; however, expressed a willingness to approve a substantial alteration of the building. Upon completion of the exterior renovation Council could decide to deregister the property if it has lost its heritage value.

FINANCIAL IMPLICATIONS: No significant costs specific to this issue.

SOCIAL JUSTICE IMPLICATIONS: None specific to this issue.

ENVIRONMENTAL IMPLICATIONS: None specific to this issue.

COMMUNITY ENGAGEMENT: Should Council decide to pursue deregistration, the Act requires that a public hearing be held before a final decision is made.

ALTERNATIVES:

- 1) Indicate a willingness to consider deregistration and schedule a public hearing.
- 2) Refer the application back to the PAC for more information.

ATTACHMENTS:

- 1) HeritagePlaces.ca excerpt
- 2) Staff report to HAC.
- 3) Application Letter
- 4) Renovation sketch

Report prepared by: A. Fisher

Report and Financial approved by:





▼ MENU ▼

96 Church Street

96 Church Street, Amherst, Nova Scotia, Canada

Formally Recognized: 1986/08/18



OTHER NAME(S)

96 Church Street
Moffatt House

LINKS AND DOCUMENTS

[Cumberland County Museum and Archives](#)

CONSTRUCTION DATE(S)

LISTED ON THE CANADIAN REGISTER: 2010/01/25

STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE

96 Church Street, also known as the Moffatt House, is a two-storey Second Empire style house located on the east side of Church Street in Amherst, Nova Scotia. The home sits on a corner lot in one of Amherst's older residential neighbourhoods. The building and property are included in the municipal designation.

HERITAGE VALUE

96 Church Street is valued as an excellent example of Second Empire architecture. Built circa 1873, it has the characteristic steeply pitched square Mansard roof, ornate window hoods, and decorative eaves of the Second Empire style. The home still has the original fine wooden details around its doors and windows. Also of particular note are the rare interior wall paintings in the hallways and several of the rooms, being some of the best examples of this work in the region.

Source: "Heritage Properties Amherst" File, Cumberland County Museum

CHARACTER-DEFINING ELEMENTS

Character-defining elements of 96 Church Street include:

- location in historic residential area of Amherst;
- wooden windows and clapboard cladding.

Character-defining elements of 96 Church Street include all Second Empire elements, such as:

- square Mansard roof;
- brackets decorating eave line;
- decorative eaves;
- second-storey windows breaking the eaves;
- ornate rounded window hoods;
- decorative matching trim on front and side porches;
- matching roof, window hoods and trim on rear addition;
- three two-storey matching bay windows;
- decorative cornice.

RECOGNITION

JURISDICTION

Nova Scotia

RECOGNITION AUTHORITY

Local Governments (NS)

RECOGNITION STATUTE

Heritage Property Act

RECOGNITION TYPE

Municipally Registered Property

RECOGNITION DATE

1986/08/18

HISTORICAL INFORMATION

SIGNIFICANT DATE(S)

n/a

THEME - CATEGORY AND TYPE

Expressing Intellectual and Cultural Life
Architecture and Design
Peopling the Land
Settlement

FUNCTION - CATEGORY AND TYPE

CURRENT

Residence
Single Dwelling

HISTORIC

Residence
Group Residence

ARCHITECT / DESIGNER

n/a

BUILDER

n/a

ADDITIONAL INFORMATION

LOCATION OF SUPPORTING DOCUMENTATION

"Heritage Properties Amherst" File, Cumberland County Museum and Archives, 150 Church St, Amherst, NS B4H 3C4

CROSS-REFERENCE TO COLLECTION

FED/PROV/TERR IDENTIFIER

12MNS0014

STATUS

Published

RELATED PLACES

n/a

SEARCH THE CANADIAN REGISTER

FIND NEARBY PLACES

NEARBY PLACES



VIA Rail/Canadian National Railways Station

Station Street, Amherst, Nova Scotia

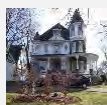
The VIA Rail/Canadian National Railways (CNR) Station at Amherst is a one-and-a-half-storey, red...



Old Amherst Post Office

50 East Victoria Street, Amherst, Nova Scotia

The Old Amherst Post Office is located prominently on the main street of Amherst, Nova Scotia among...



Victoria

177 Victoria Street, Amherst, Nova Scotia

Victoria is prominently located on the corner of Victoria Street and Regent Street in Amherst, Nova...



MEMO

TO: Heritage Advisory Committee
FROM: Andrew Fisher, Director, Planning & Strategic Initiatives
DATE: July 2nd, 2024
RE: **Deregistration of Heritage Property – 96 Church Street**

PROPOSAL

An application by Trish Mooney to deregister 96 Church Street from the Municipal Heritage Property Registry.

BACKGROUND INFORMATION

This 151 year old building known as the Moffat House, was built in 1873 and has been registered as a Municipal Heritage Property since 1986. It is a two-storey Second Empire style house with a steeply pitched square Mansard roof, ornate window hoods, and decorative eaves. Attached is a “Canada’s Historical Value Context” that details the ‘Heritage value’ and ‘character-defining elements’. In general, it is a large stately house that, while in need of significant repair, appears to have retained most of its original architectural features.

The applicant seeks to deregister the property due to its deteriorating condition, high maintenance costs, and as stated in the applicant's attached letter, to improve prospects of the sale of the property. The property owner is also requesting a rezoning from General Residential to commercial to increase the marketability of the property. The rezoning is a separate process from the deregistration and will be dealt with at a later date. As noted below, the rezoning application may not need to proceed given that the intentions of the potential buyer would be permitted under the existing residential zoning.

Attached is a 2023 Cumberland Home Inspections report provided by the applicant that provides a summary of the state of the dwelling. As noted in that report, the house is in need of updates, repair and maintenance. However, staff note that for the most part the house is in relatively good condition given the lack of maintenance upgrades over the years.

Tom Mattinson, owner of Six Point Star Homes, is interested purchasing and converting the building into six-unit apartments. Staff met onsite with him to discuss his plans and discuss the possibility of retaining as much of the exterior heritage features as possible. It is important to note that the heritage designation does not include the interior of the building. Mr. Mattinson

stated that he did not intent to change the building footprint, rooflines, window or door openings. He did intend to refinish the exterior with low maintenance materials, including new roofing, siding, windows and doors. He was agreeable to retaining, or attempting to retain some the architectural details, but with updated material replacements not refinishing of existing materials.

It should be noted that Mr. Mattison recently completed the refurbishment of 11 North Adelaide. He stated that his intention is to complete a similar renovation at 93 Church Street.

Deregistration

Registered heritage properties are applicable to the Nova Scotia Heritage Property Act (ACT). Under section 16 of the act, Council may deregister a property where:

- a) The property has been destroyed or damaged by any cause; or
- b) the continued registration appears to the council to be inappropriate as a result of the loss of the property's heritage value, [...], unless the loss of the heritage value was caused by neglect, abandonment or other action or inaction of the owner; and,
- c) a public hearing is first held to consider the deregistration.

Alterations

Under Section 18 of the Act, if alterations are considered substantial, they must be approved by the town after receiving a recommendation from the Heritage Advisory Committee. Under section 18, the town can take up to three years to make a decision to approve (with or without conditions) or deny an application. If the town denies the alteration application, the owner may make the desired alterations after three years from the application date. A refused application may be appealed to the NSUARB.

The full Heritage Property Act can be referenced on the Nova Scotia Legislature website:

<https://nslegislature.ca/sites/default/files/legc/statutes/heritage.htm>

DISCUSSION & CONCLUSION

Staff feel that based on the Heritage Property Act “Deregistration of municipal heritage property”, the statement regarding neglect, abandonment, or other actions or inactions by the owner is applicable. It is also important to note that while the applicant has claimed difficulty selling the property due the registration, there are no records of this property being on the open market. As such, it is difficult to determine if there are other buyers interested in the property, and it is possible that a yet unknown purchaser exists that would have the interest and wherewithal to restore the subject building’s exterior. That being said, it is reasonable to conclude that there would be few potential buyers that would restore the property to its original state.

For perspective, a local painting contractor with experience in refinishing this type and size of building estimated the cost to be in the \$40,000 ballpark for painting alone. In addition,

replacement of the rotted material, doors, windows and roofing would put the cost to renovate the exterior is easily into the six figures. That level of investment on the exterior becomes even more daunting when one considers the ongoing maintenance required to maintain it on an ongoing basis.

It should also be considered that the property, if put on the market, would be at a price point that might entice investors that would do the bare minimum to restore the exterior, resulting in the building being in a worse state of repair in the future.

Alternatively, Six Point Star Homes have a proven track record of renovating a building of this scale to provide much needed housing. Two examples being the renovation of 11 North Adelaide, and 153 Church Street. As mentioned above, the company owner is willing to keep some of the architectural features, but the building will likely lose elements of its heritage value. Mr. Mattinson stated that regardless of whether the renovations are approved under the heritage designation or not, he intends to pursue deregistration of the property.

Obviously, the best scenario would be a complete a sensitive restoration of this heritage asset to as close to its original state as possible. However, staff are concerned that insisting on this standard may jeopardize a more practical middle ground that results in a refurbished building with 6 new dwelling units that maintains some references to the previous character. To this end, staff feel the best course of action would be to recommend that Council refuse to deregister the property at this time but express a willingness to approve a substantial alteration of the building, subject to submission of a more detailed exterior renovation plan. Upon completion of the exterior renovation Council could decide to deregister the property if it has lost its heritage value.

OPTIONS:

Option One: That the Heritage Advisory Committee recommend that Council deregister the property.

Option Two: That the Heritage Advisory Committee recommend that Council **refuse** to deregister the property.

Option Three: That the Heritage Advisory Committee recommend that Council refuse to deregister the property but express a willingness to approve a substantial alteration that may reduce the heritage value of the building.

STAFF RECOMMENDATION: Option Three.

From: [Mooney, Trish \(DH/MS\)](#)
To: [Andrew Fisher](#)
Cc: [Torben Laux](#)
Subject: 96 Church Street- De-registration request-Trish Mooney
Date: June 5, 2024 2:17:33 PM
Attachments: [image001.png](#)
[POA Nancy Mooney.pdf](#)
[2023 12 21 report 31 pates 133210 34 225566Report.pdf](#)

Good afternoon Andrew,

I have Power of Attorney (attached) for the owner of the residence, my mother, Nancy Mooney. She is still independent and capable. I have her permission to communicate with you regarding this issue on her behalf. If confirmation is required, she may reach her at 902-667-7999

Background:

We lost the sale of this house yesterday. The home needed to be de-registered which they were willing to undertake but then additionally an application would have needed to be submitted for rezoning from residential to commercial. There was too great a risk to the buyer with both these requirements holding no guarantees.

Having lost that private sale will be enlisting a real estate agent.

I want to begin this process as I fear this house will not be easy to move and need to remove barriers to its sale.

I need to communicate that these efforts are underway to the real estate agent.

And, importantly, I am hoping that this deregistration process can be transferred un-interrupted to a new owner if necessary.

Caveat - I understand the de-registration process can take years and, again, is not guaranteed.

Proposed justification for deregistration:

The home is in massive disrepair. **See attached inspection.** Short answer is that there is no money and has been no money to fix this house for many years. We have been cobbling moneys together to keep it (barely) liveable for my mother until she broke her hip fall 2023. This was a blessing because no effort could extract her from that house. She is now living independently in an apartment and still trying to keep 96 Church street on a minimum annual life support to the tune of 10,000 -15,000 a year. To further illustrate her inability to maintain the former glory of this home, she qualifies for a disability tax credit due to a variety of ailments. I have attached an inspection report that indicates its state of disrepair. I stress. There was no financial ability for my mother to make the necessary repairs to this house. The best we can do is patch the roof from time to time but a new roof is min \$30,000. It was just patched again Spring 2024.

On a personal note

In addition to the financial stress caused by 96 Church St., my mother is awaiting subsidized housing and is in an apartment that is beyond her means. As a result of these 2 budgetary pressures, her expenditures are at 300%. I only share this to illustrate our dire straits. Time is of the essence. If that private sale had been successful, she would have been able to live out her last years in financial peace. Now that future hope is uncertain. Anything we can do to expedite this process would be greatly appreciated.

And. My brother has no means to support her. I have no means to support her.

I have reviewed the Heritage Act de-registration section:

Deregistration of municipal heritage property

16 (1) On the application of an owner of a municipal heritage property or on its own motion, the council may deregister a municipal heritage property where:

- (a) the property has been destroyed or damaged by any cause; or
 - (b) the continued registration of the property appears to the council to be inappropriate as a result of the loss of the property's heritage value, as identified in the property's heritage file or notice of recommendation, unless the loss of the heritage value was caused by neglect, abandonment or other action or inaction of the owner ,
- after holding a public hearing to consider the proposed deregistration.

(2) Such a public hearing shall be held not less than thirty days after a notice of the hearing is served on the registered owner of the municipal heritage property and published in a newspaper circulating in the area.

(3) Where a municipal heritage property is deregistered, the council shall cause notice of the deregistration to be sent to the registered owner of the property and a copy thereof to be deposited in the registry of deeds for the registration district in which the property is situate. R.S., c. 199, s. 16; 2010, c. 54, s. 12.

In the interim we pray that a buyer will consider this property worth investing in...maybe as an apartment building given its residential zoning - although - I can't understand why a rezoning to commercial would not be a strong contender given we are sandwiched between two commercial zones. It would certainly help with broadening net when soliciting a potential buyer – but that hill is for another day.



Please accept this email as my request to begin the process of deregistering the registered heritage property 96 Church Street, Amherst, Nova Scotia, B4H 3B2

I am taking Maritime Bus up to Amherst tomorrow for a final push on cleaning out the house. In the (unlikely) event there is any paperwork that needs to be completed regarding this process or a face to face is of benefit, I will be in town from 3pm tomorrow and all day Friday. I can be reached any time at 506-472-5683

Many thanks in advance and looking forward to hearing your advice and working with you / the municipality.

Trish

Trish Mooney

Administrative Assistant / Adjointe administrative

Primary Health Care / Soins de Santé Primaires

Department of Health / Ministère de la Santé

2nd Floor / Etage 2

520 King Street / 520, rue King

P.O. Box 5100 / C.P. 5100

Fredericton, NB / (N.B.) E3B 5G8

Tel. / Tele. (506) 453-6349

Fax / Telec. (506) 453-8711

She, her/elle



SYNOPSIS

Capital Budget Amendment

Asphalt Recycler Purchase

The asphalt recycler used by the public works department was extensively damaged when it caught on fire in May. An insurance claim was filed and a payout of \$100,000 was received in late June for the loss.

On July 2, 2024 the CAO authorized an emergency purchase to obtain a new asphalt recycler from SNT Solutions in Dartmouth at a cost of \$160,000 plus applicable taxes. The supplier had one asphalt recycler in stock that met the needs of the Town. Had this equipment needed to be ordered in from the manufacturer the delivery time would have been 6 months or more.

Sourcing a readily available recycler was critical to staff's ability to repair potholes quickly and efficiently when complaints are received or when potholes are identified during street inspections.

MOTION:

That Council amend the 2024/25 general capital budget in the amount of \$125,250 and the 2024/25 water utility capital budget in the amount of \$41,750 for the purchase of an asphalt recycler.



AMHERST TOWN COUNCIL

RFD# 2024070

Date: August 12, 2024

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Aaron Bourgeois, Director of Operations

DATE: August 12, 2024

SUBJECT: Capital Budget Amendment

ORIGIN: Current asphalt recycler was extensively damaged.

LEGISLATIVE AUTHORITY: MGA Section 65A (4)

RECOMMENDATION: That Council approve an amendment to the 2024/25 general capital budget in the amount of \$125,250 and the 2024/25 water utility capital budget in the amount of \$41,750 for the purchase of an asphalt recycler.

BACKGROUND: The Town purchased a refurbished asphalt recycler in the fall of 2022. The recycler worked well and the process of making hot mix asphalt was quick and efficient.

However, in May 2024 the machine caught on fire and was extensively damaged. A claim was filed with our insurance provider and following 2 months of negotiations an agreement was reached in late June for a payout of \$100,000 for the recycler.

DISCUSSION: On July 2, 2024 the CAO authorized an emergency purchase to obtain a new asphalt recycler from SNT Solutions in Dartmouth at a cost of \$160,000 plus applicable taxes. The supplier had one asphalt recycler in stock that met the needs of the Town. Had this equipment needed to be ordered in from the manufacturer the delivery time would have been 6 months or more.

Sourcing a readily available recycler was critical to staff's ability to repair potholes quickly and efficiently when complaints are received or when potholes are identified during street inspections.

Bagela asphalt recyclers are very efficient; the machine can be loaded, heated, and ready to use in 30 minutes. The proposed recycler has a 7-tonne capacity which is enough for a full day's work when patching potholes by hand and can also produce enough hot mix asphalt to repair service cuts during the winter months.



FINANCIAL IMPLICATIONS: The source of funding for the new asphalt recycler will be:

- Water Depreciation – Insurance Proceeds \$25,000
- Water Depreciation \$16,750
- Capital Reserve – Insurance Proceeds \$75,000
- Operating Reserve \$50,250

COMMUNITY ENGAGEMENT: No community engagement is anticipated at this time.

ENVIRONMENTAL IMPLICATIONS: Recycling asphalt helps to reduce greenhouse gas emissions as compared to making asphalt in a traditional asphalt plant.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications associated with the purchase of this equipment.

ALTERNATIVES: Do not approve the purchase of the asphalt recycler at this time.

ATTACHMENTS: None

Report prepared by: Aaron Bourgeois, Director of Operations
Report and Financial approved by:

SYNOPSIS

Capital Budget Amendment

Utility Trailer Purchase

The Town purchased a utility trailer in the 2023/24 capital budget for the recreation department and within the fiscal year the utility trailer was stolen. An insurance claim was filed and a payout of \$7,920 was received in late May 2024 for the loss.

The replacement utility trailer is not currently listed on the 2024/25 capital budget. Amending the capital budget now provides approval to withdraw the funds from the Capital Reserve at year end. The replacement utility trailer costs approximately \$330 more than the insurance proceeds. It is recommended that this amount also be funded from the Capital Reserve.

MOTION:

That Council amend the 2024/25 general capital budget in the amount of \$8,250 for the purchase of a replacement utility trailer to be funded from the Capital Reserve.



AMHERST TOWN COUNCIL

RFD# 2024075

Date: August 12, 2024

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Sarah Wilson, Director of Finance

DATE: August 12, 2024

SUBJECT: Capital Budget Amendment

ORIGIN: Amendment to the 2024/25 capital budget for a utility trailer stolen in 2023 and replaced with insurance proceeds in 2024.

LEGISLATIVE AUTHORITY: MGA Section 65A (4)

RECOMMENDATION: That Council approve an amendment to the 2024/25 general capital budget in the amount of \$8,250 for the purchase of a replacement utility trailer, to be funded from Capital Reserve.

BACKGROUND: The Town purchased a utility trailer in the 2023/24 capital budget for the recreation department and within the fiscal year the utility trailer was stolen. The Town replaced the utility trailer in 2024 once insurance proceeds had been received.

DISCUSSION: The replacement utility trailer is not currently listed on the 2024/25 capital budget. Amending the capital budget now provides approval to withdraw the funds from the Capital Reserve at year end. The Town received the insurance proceeds on May 23, 2024 in the amount of \$7,920 and these funds have been placed in the Capital Reserve. The replacement utility trailer costs approximately \$330 more than the insurance proceeds, it is recommended that this amount is also to be funded from the Capital Reserve.

FINANCIAL IMPLICATIONS: The source of funding for the replacement utility trailer will be:

- Capital Reserve – Insurance Proceeds \$7,920
- Capital Reserve \$ 330

COMMUNITY ENGAGEMENT: No community engagement is anticipated at this time.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications associated with the purchase of this equipment.

ALTERNATIVES: Do not approve the amendment to the capital budget at this time.



ATTACHMENTS: None

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