



Town of Amherst
Regular Council Meeting
Agenda

Date: **Monday, May 26, 2025**
Time: **6:00 pm**
Location: **Council Chambers, Town Hall**

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

**TOWN OF AMHERST
Regular Council Meeting
Minutes**

Date: April 28, 2025
Time: 6:00 pm
Location: Council Chambers, Town Hall

Members Present Mayor Robert Small
Deputy Mayor Hal Davidson
Councillor Charlie Chambers
Councillor Nic Furlong
Councillor Terry McManaman
Councillor Dwayne Ripley
Councillor Kathy Wells

Staff Present Jason MacDonald, Chief Administrative Officer
Andrew Fisher, Director, Planning & Economic Development
Dwayne Pike, Chief, Police Services
Greg Jones, Director, Fire Services
Kim Jones, Deputy Chief Administrative Officer
Krista Crossman, Director, Human Resources
Sarah Wilson, Director, Finance
Denise Smith, Finance Manager
Sharon Bristol, Director, Community Living
Sean Payne, Corporate Communications Officer
Natalie LeBlanc, Municipal Clerk
Cindy Brown, Administrative Assistant

Others Present Jason Haughn, Municipal Advisor

1. CALL TO ORDER

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

2. TERRITORIAL ACKNOWLEDGMENT

Mayor Small gave the Territorial Acknowledgement.

3. APPROVAL OF AGENDA/ACCEPTANCE OF MINUTES

3.1 Approval of the Agenda

Moved By Councillor Furlong

Seconded By Councillor McManaman

To approve the agenda as circulated.

Motion Carried

3.2 Acceptance of Minutes

3.2.1 March 24, 2025 Regular Council

Mayor Small called for any errors or omissions in the minutes. There being none, the minutes of the March 24, 2025 regular meeting of Council were accepted as included in the agenda package.

3.2.2 April 9, 2025 Public Hearing

Mayor Small called for any errors or omissions in the minutes. There being none, the minutes of the April 9, 2025 Public Hearing were accepted as included in the agenda package.

4. REQUESTS FOR DECISION

4.1 Volunteer of the Year

Moved By Deputy Mayor Davidson

Seconded By Councillor Chambers

That Council nominate Dale Fawthrop as the Volunteer of the Year and Leah Brunt as the Youth Volunteer of the Year to be recognized at the Nova Scotia Ceremony.

Motion Carried

4.2 112 West Victoria Street Development Agreement First Reading

Moved By Councillor McManaman

Seconded By Councillor Wells

That Council give First Reading of the development agreement for 112 West Victoria Street to permit the construction of two 16-unit and three 8-unit apartment buildings and schedule a Public Hearing for Wednesday, May 14th, 2025 at 5:00 pm in Town Hall Council Chambers.

Motion Carried

Case No: DA-2025-XX

This Agreement made this _____ Day of _____ 2025.

Between:

Six Point Start Homes (owner of property located at 112 Victoria Street West [PID 25000605], hereinafter called the "Owner"),

of the one part, and

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

of the other part.

WHEREAS the Owner wishes to obtain permission pursuant to Policy RP-9 of the Municipal Planning Strategy of the Town of Amherst, to construct two (2) 16-unit and three (3) 8-unit apartment dwellings on property located at 112 Victoria Street West (PID 25000605).

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 _____ 2025, approved the said Development Agreement, subject to the registered Owner of the land described herein entering into this Agreement;

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

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

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

- 1) That the Owner is the registered owner of the aforesaid Lands in the Town of Amherst, hereinafter called the "Lands". The aforesaid Lands 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 five (5) Apartment Buildings, two (2) 16-unit and three (3) 8-unit dwellings on the said Lands, subject to Schedules A, B, C, and D attached.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property (other than the Land Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.
- 4) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 7) The Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

SIGNED AND DELIVERED

In the presence of

FOR THE OWNER

Tom Mattinson
Six Point Star Homes

THE TOWN OF AMHERST

Rob Small, Mayor

Jason MacDonald, MCIP, LPP, CAO

Terms and Conditions:

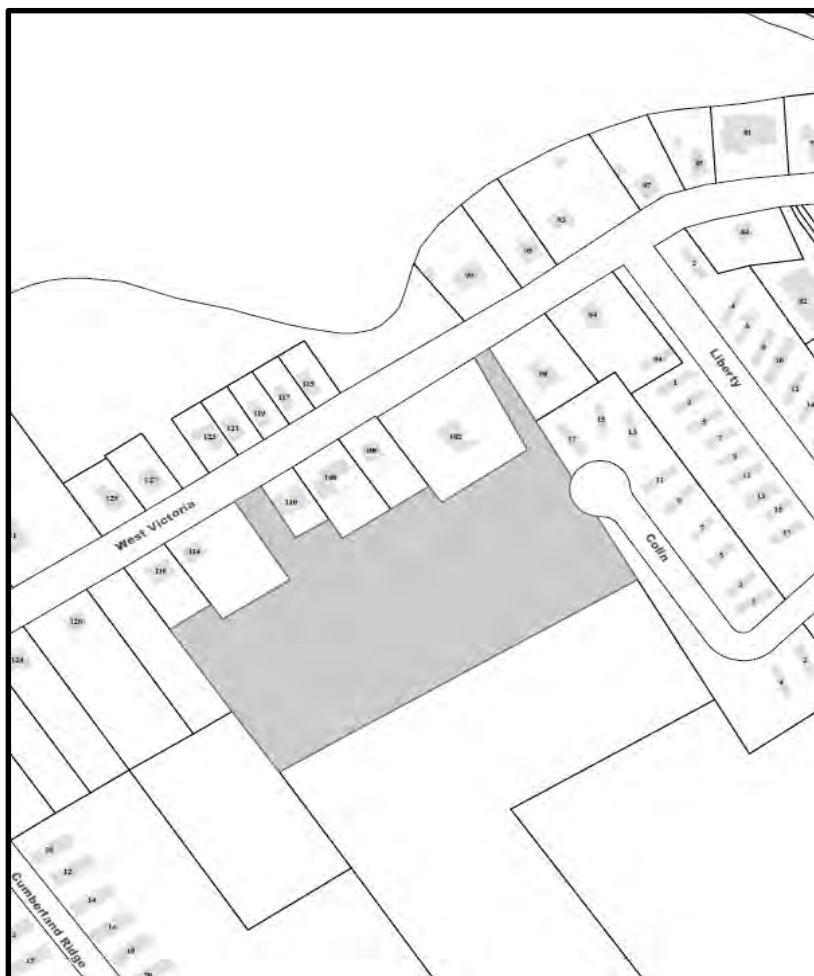
1.0 USE OF LAND AND BUILDINGS

- 1.1 The use of the property shall be limited to five (5) Apartment Buildings consisting of two 16-unit and three 8-unit dwelling units, for a total of fifty-six (56) dwelling units on property shown on Schedule 'B'.
- 1.2 Each Apartment Dwelling shall consist of no more than 2 levels and shall generally conform to the designs shown on Schedule 'D'. Variations to the architectural details and footprint of the dwellings may be permitted, to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 1.3 The location of each Apartment Dwelling, driveway, parking area shall be generally configured on the Lands as shown on Schedule 'C', except that the developer shall submit, to the satisfaction of the Development Officer. Variations to the location of the dwellings may be permitted, to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 1.4 A minimum of 1.63 parking spaces shall be provided for each dwelling unit for a total of 91 spaces on the Lands and shall be generally configured as shown on Schedule 'C'.
- 1.5 Prior to issuance of a Development Permit for any building, the Owner shall submit a detailed landscaping plan that shall include but not be limited to the following:
 - 1.5.1 Specify the type of treatment of all areas during all phases of the development. Areas of the Lands not part of initial phases must be kept as grass or otherwise treated so as to minimize dust.
 - 1.5.2 An opaque fence approximately 1.8 meters (6 feet) in height shall be placed along both sides of the driveway access, extending from the property line bordering West Victoria Street to the rear corner of the adjacent properties. This fence requirement may be altered or waived on one or both sides upon mutual written agreement with the nearest property owner.
 - 1.5.3 A visual buffer, at least 1.8 meters or 6 feet consisting of vegetation, an opaque privacy fence, or a combination of both, must be established along the property line as specified below. 114 West Victoria Street - PID 25000654, 110 West Victoria Street PID - 25387531, and 108 West Victoria Street PID 25382169
- 1.6 The Owner shall be responsible for maintaining screened solid waste containment area(s) at minimum ten (10) metres from the rear property line of adjacent properties fronting on West Victoria Street and shall generally follow the location as set out in Schedule 'C'.
 - 1.1 Prior to the issuance of a Development Permit for any building, the Owner shall submit a detailed Stormwater Management Plan created by a professional engineer. Said plan shall be designed and implemented such that there will be no increase in stormwater flow onto adjacent properties and no increase of peak flow into over existing conditions. The Owner shall be responsible for storm water management during and after construction.

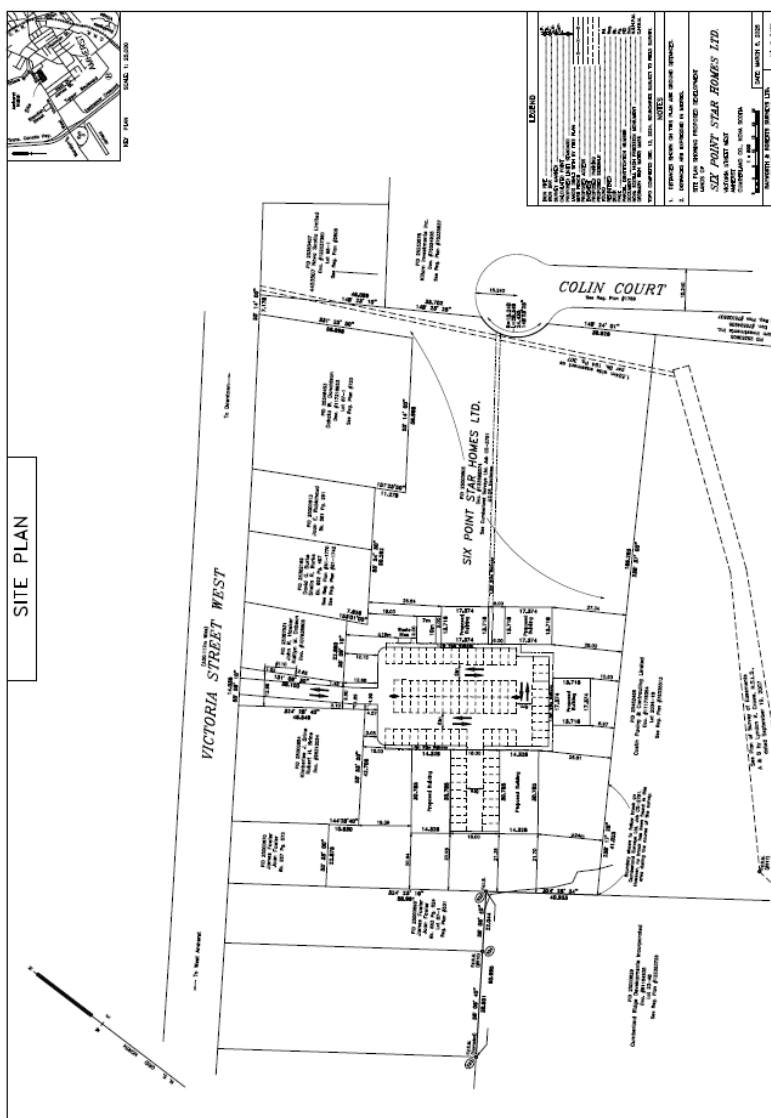
2. GENERAL REQUIREMENTS

- 2.0 The Owner shall keep the Lands and buildings 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.
- 2.1 In addition to *Part 5 – Hours of Construction* under the Town of Amherst Building Bylaw D-6, operation of heavy equipment and electrical generators shall not take place on the property from 8:00 P.M. to 7:00 A.M.
- 2.2 Signage on the property shall conform to the Town of Amherst *Land Use Bylaw*.
- 2.3 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties.
- 2.4 Solid waste management shall be in conformance with the Town of Amherst *Solid Waste Bylaw*.
- 2.5 The Owner shall 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.
- 2.6 The Owner shall erect temporary construction fencing during construction to minimize danger to the public and prevent unauthorized access to the construction site.
- 2.7 Accessory buildings may be permitted on the Lands in accordance with the Town of Amherst Land Use Bylaw.

Schedule B – Property Location Map



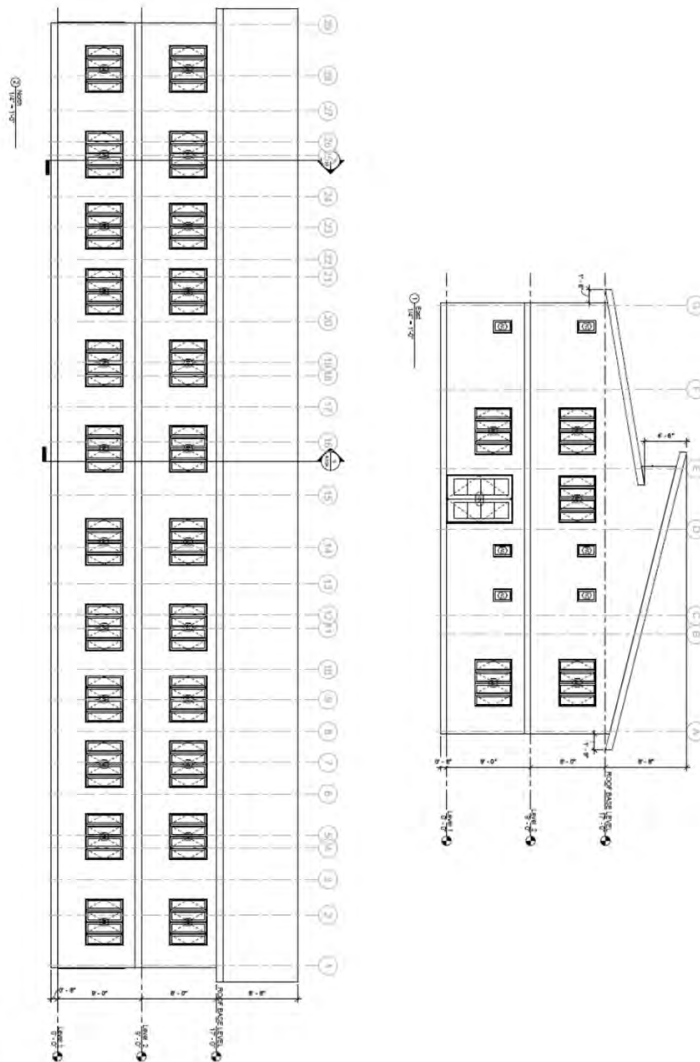
Schedule C – Site Plan



Schedule D – Building Elevations - 8 Units



Schedule D – Building Elevations - 16 Units



4.3 3 Robie Street Development Agreement Second Reading

As Councillor Chambers and Councillor Wells were not present at the Public Hearing, they did not vote on this item.

Moved By Councillor Ripley

Seconded By Councillor Furlong

That Council give Second Reading of the development agreement for 3 Robie Street to permit the conversion of an existing community hall into an 8-unit apartment building.

Motion Carried

Case No: DA-2025-02

This Agreement made this _____ Day of _____ 2025.

Between:

Tom Mattinson of Six Point Star Homes, property located at 3 Robie Street [PID 25089471], 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 four new units in addition to the existing four units on property located at 3 Robie Street [PID 25089471]

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 _____ 2025, 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:

- (e) Schedule 'A' – Terms and Conditions
- (f) Schedule 'B' – Property Location Map
- (g) Schedule 'C' – Site Plan
- (h) Schedule 'D' – Elevation

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

- 1) That the Owner is the registered owner of the aforesaid Lands in the Town of Amherst, hereinafter called the "Lands". The aforesaid Lands 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 four (4) additional units within the existing building, subject to Schedules A, B, C and D attached.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property (other than the Land Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.
- 4) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 7) The Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

SIGNED AND DELIVERED

In the presence of

FOR THE OWNER

Tom Mattinson, Six Point Star Homes

THE TOWN OF AMHERST

Rob Small, Mayor

Jason MacDonald, MCIP, LPP, CAO

Schedule A

3 Robie Street, PID 25089471- Development Agreement

Terms and Conditions:

3. USE OF LAND AND BUILDINGS

- 3.0 The use of the property shall be limited to the additional four (4) units, for a total of eight (8) within the existing building located on property shown on Schedule 'B'.
- 3.1 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.
- 3.2 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.
- 3.3 The Owner shall be responsible for maintaining a screened solid waste containment area(s) at minimum six (6) metres from the rear property line of adjacent properties.
- 3.4 A minimum of 1.25 parking spaces shall be provided for each dwelling unit for a total of 10 spaces on the Lands and shall be generally configured as shown on Schedule 'C'.

4. GENERAL REQUIREMENTS

- 4.0 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.
- 4.1 In addition to *Part 5 – Hours of Construction* under the Town of Amherst Building Bylaw D-6, operation of heavy equipment and electrical generators shall not take place on the property from 8:00 P.M. to 7:00 A.M.
- 4.2 Signage on the property shall conform to the Town of Amherst *Land Use Bylaw*.
- 4.3 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties or streets.
- 4.4 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.
- 4.5 Accessory buildings may be permitted on the Lands in accordance with the Town of Amherst Land Use Bylaw.

Schedule B - Property Location Map

3 Robie Street (PID 25089471)



4.4 91 Rupert Street Development Agreement Second Reading

As Councillor Chambers and Councillor Wells were not present at the Public Hearing, they did not vote on this item.

Moved By Councillor McManaman

Seconded By Deputy Mayor Davidson

That Council give Second Reading of the development agreement for 91 Rupert Street to permit the construction of an 18-unit apartment building.

Motion Carried

Case No: DA-2025-03

This Agreement made this _____ Day of _____ 2025.

Between:

Andrew Cameron of Ocean Breese Estate Ltd, property located at 91 Rupert Street [PID 25518242], hereinafter called the "Owner"),

of the one part, and

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

of the other part.

WHEREAS the Owner wishes to obtain permission pursuant to Policy RP-9 of the Municipal Planning Strategy of the Town of Amherst, to construct a 3-story, 18-unit apartment building on property located at 91 Rupert Street [PID 25518242]

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 _____ 2025, 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:

- (i) Schedule 'A' – Terms and Conditions
- (j) Schedule 'B' – Property Location Map
- (k) Schedule 'C' – Site Plan
- (l) Schedule 'D' – Elevation

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

- 1) That the Owner is the registered owner of the aforesaid Lands in the Town of Amherst, hereinafter called the "Lands". The aforesaid Lands 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 a 3-story, 18-unit apartment building subject to Schedules A, B, C, and D attached.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property (other than the Land Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.
- 4) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 7) The Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

SIGNED AND DELIVERED

In the presence of

FOR THE OWNER

Andrew Cameron, Ocean Breese Estate Ltd

THE TOWN OF AMHERST

Rob Small, Mayor

Jason MacDonald, MCIP, LPP, CAO

Terms and Conditions:

5. USE OF LAND AND BUILDINGS

- 5.0 The use of the property shall be limited to the construction of a 3-story, 18-unit apartment building located on property shown on Schedule 'B'.
- 5.1 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.
- 5.2 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.
- 5.3 The Owner shall place a privacy fence approximately 1.8 m (6 ft) along the shared property line with 85 Rupert Street and 32 Charles Street.
- 5.4 The Owner shall be responsible for maintaining a screened solid waste containment area(s) at minimum six (6) metres from the rear property line of adjacent properties.
- 5.5 A minimum of 1.83 parking spaces shall be provided for each dwelling unit for a total of 33 spaces on the Lands and shall be generally configured as shown on Schedule 'C'.
- 5.6 The building shall generally conform to the designs shown on Schedule 'C' and 'D'. Variations to the architectural details and footprint of the dwellings may be permitted, to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 5.7 The Owners shall be responsible for all elements of the Site Plan on the Land generally in accordance with Schedule 'C'. Variations to the Site Plan elements may be permitted, to the satisfaction of the Development Officer and shall not be considered substantial changes to this agreement.
- 5.8 The Owner shall provide a Stormwater Management Plan to reflect the location of the building, as shown on Schedule 'C', designed by a certified engineer.

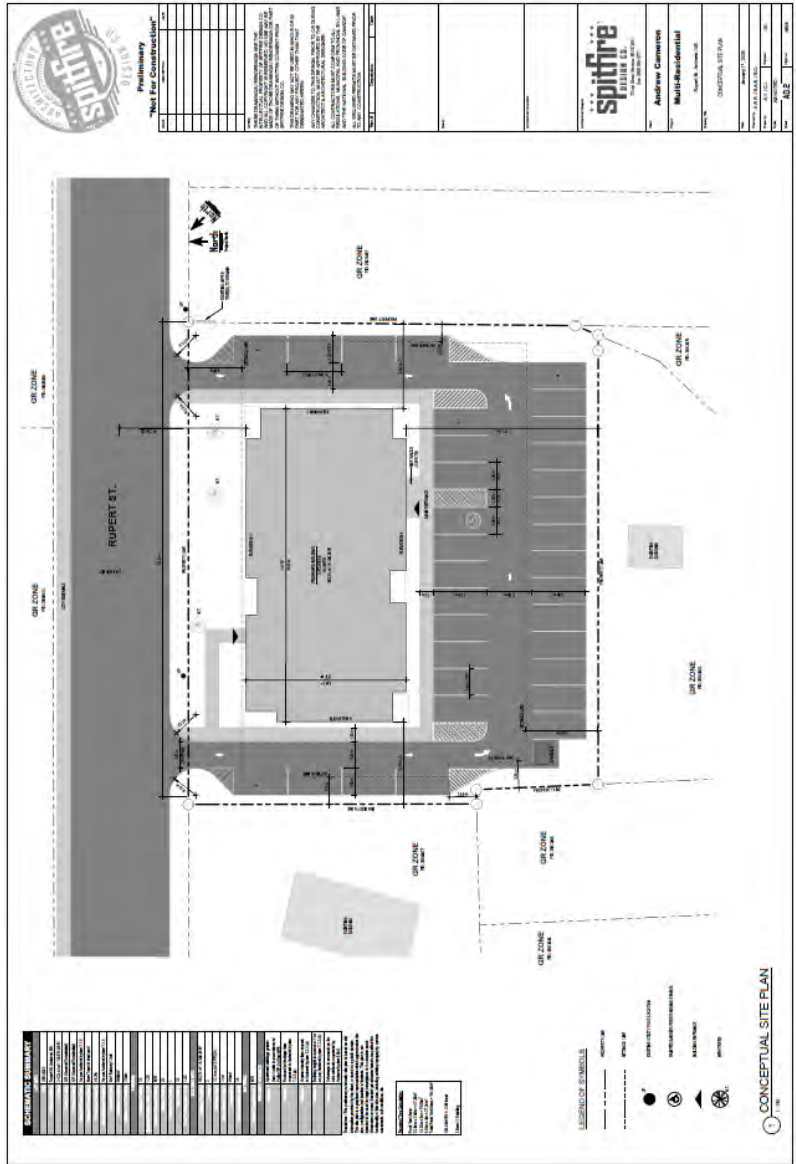
6. GENERAL REQUIREMENTS

- 6.0 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.
- 6.1 In addition to *Part 5 – Hours of Construction* under the Town of Amherst Building Bylaw D-6, operation of heavy equipment and electrical generators shall not take place on the property from 8:00 P.M. to 7:00 A.M.
- 6.2 Signage on the property shall conform to the Town of Amherst *Land Use Bylaw*.
- 6.3 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties or streets.
- 6.4 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.
- 6.5 Accessory buildings may be permitted on the Lands in accordance with the Town of Amherst Land Use Bylaw.

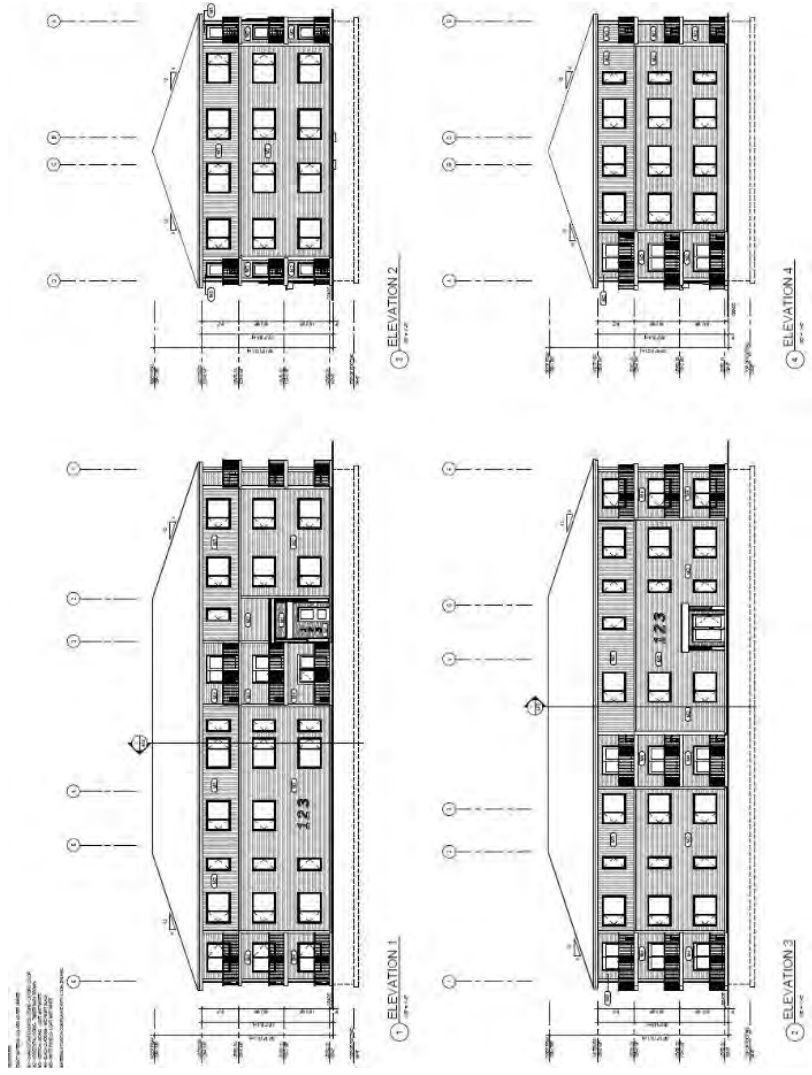
Schedule B – Property Location Map - 91 Rupert Street (PID 25518242)



Schedule C – Site Plan



Schedule D - Elevations



**4.5 2 Pearl Place Minimum Tax Sale Bid
 Moved By Deputy Mayor Davidson
 Seconded By Councillor McManaman
 That Council approve setting the minimum bid for 2 Pearl Place at \$15,000 for the tax sale tentatively scheduled for July 3, 2025.**

Motion Carried

**4.6 Employee Computer Purchase Policy Amendment
 Moved By Councillor Furlong
 Seconded By Councillor Chambers
 That Council approve the amendments to the Employee Computer Purchase Policy #04530-02.**

Motion Carried

**TITLE: EMPLOYEE COMPUTER PURCHASE POLICY
 SECTION: HUMAN RESOURCE MANAGEMENT
 POLICY NO: 04530-02**

APPROVAL DATE: _____ CAO Signature: _____

PURPOSE

To set out a policy of the Town of Amherst to allow and assist employees and elected representatives to purchase personal computers & computer-related equipment. ~~The intent of this policy is to promote growth of computer literacy and compute skills throughout the organization.~~ Recognizing the increasing importance of technology in both professional and personal development, the intent of this policy is to support digital fluency and technology literacy among employees and elected officials by facilitating access to essential computer-related equipment.

POLICY STATEMENT

The Town will provide an interest-free loan to employees and elected officials for the purchase of personal computers and related equipment up to \$1,500 plus HST of \$225 for a total of \$1,725.

~~Equipment purchased for business purposes will not be eligible for this program.~~ Equipment deemed eligible for the program is in accordance with the Employee Computer Purchase Procedure #04530-02P.

1. Term
At no time shall the term of the loan exceed 24 months.
2. Repayment
Repayment shall be by way of payroll deduction.

Employees shall be required to sign a promissory note in the amount of the indebtedness.

Employees who become temporarily laid off, or take a period of leave from the workplace due to illness or other purposes, will be required to make arrangements to pay the Town directly during the period of layoff or leave.

~~Employees whose employment with the Town is terminated, for any reason, shall be required to pay the balance in full upon serving. The Town will deduct any amounts owing in respect of a computer purchase loan from any other amounts due to the employee on serving.~~ In the event that an employee's employment with the Town ends, or an elected official's term concludes for any reason, any outstanding balance on a computer purchase loan shall become immediately due and payable. The Town reserves the right to deduct any remaining loan amount from final pay or any other monies owed to the individual at the time of departure or term end.

3. Rate
All loans made under this program will be interest free. Appropriate reporting of any taxable benefits to the Canada Customs & Revenue Agency shall be done through the annual issue of T4's.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Director, Human Resources	The Director of Human Resources will: <ol style="list-style-type: none"> a. Oversee the policy and provide guidance on eligibility and program requirements.
Payroll	Payroll staff will: <ol style="list-style-type: none"> a. Administer the loan program; b. Manage payroll deductions and; c. Ensure proper repayment and reporting.
Employees & Elected Officials	Employees & elected officials will: <ol style="list-style-type: none"> a. Use the program for its intended purpose and for eligible purchases only; b. Ensure full repayment as required.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
Policy Review	Director, HR	Council	

MINUTES REFERENCE DATE: November 26, 2001

4.7 Salary Administration Policy Amendment

**Moved By Councillor Ripley
Seconded By Councillor Wells
That Council amend the Salary Administration policy to include the proposed CPI supplement, not to exceed 3%, for staff who are at the end of their salary range.**

Motion Carried

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

APPROVAL DATE: _____ **CAO Signature:** _____

PURPOSE

To set out the Policy of the Town of Amherst for salary administration for all non-union employees.

POLICY STATEMENT

The Town of Amherst will ensure the fair and equitable compensation of all non-union employees in relation to the duties of the position within the Town.

OBJECTIVES

1. To promote salary equity in the Town's non-union sector.
2. To establish a framework and procedure to determine categories of compensation for new positions.

DEFINITION OF TERMS

Salary Grid - shows all the salary scales applicable to positions within the Town. The salary grids are contained in Appendices A, A-1, B, & C. The salary grid in Appendix C has seven steps.

Step Adjustment – a move from one step, within a given salary range, to another (usually the next step) for individual employees is based on a satisfactory performance evaluation.

Salary Range - is defined as a range of pay for a category of duties, with a minimum and maximum. The range will be established by Council after considering the recommendation of the CAO.

Overall Market Review – A review of the appropriateness of the salary ranges for positions as listed in Appendix C. The review shall include a survey of the market value of similar positions.

Performance Evaluation – A formal evaluation of the employee's job performance. All employees will receive at least one Performance Evaluation in each year of service.

SALARY GRID:

An appropriate salary grid for all non-union positions shall be determined by the council:

New Positions: Recommendations for placement on the salary grid in Appendix C shall be prepared by the Chief Administrative Officer and forwarded to Council for approval.

STEP ADJUSTMENTS

Step adjustments shall be made only when:

1. The adjustment can be accommodated within the Salary budget of the appropriate department; and
2. A current Performance Evaluation form is on file.

Upon completion of a satisfactory annual evaluation, the employee may be moved to the next step of their salary range in Appendix C. All step movements must be approved by the CAO.

An employee in the last step of their salary range in a year in which there is no overall market review shall receive a supplement equal to salary times CPI for the immediately preceding calendar year, not to exceed 3%. This amount will be separate and not added to the base salary.

The CAO may, on the recommendation of the Director, authorize a movement of up to 3 steps in one year to recognize exceptional performance. In normal circumstances employees would move one step each year upon a satisfactory performance evaluation.

TRAVEL VEHICLE ALLOWANCES:

Mayor, Council and Directors of departments shall receive a monthly vehicle allowance of \$150.00.

The monthly vehicle allowance is for reimbursement for all local travel using one's personal motor vehicle for travel within the boundary of the Town of Amherst. Travel outside the boundary is covered under Policy #03000-01. The monthly vehicle allowance shall be reviewed each year after considering any changes in the cost of operating a motor vehicle.

LUNCH BREAKS:

The lunch break period shall be for a one-hour period.

PERFORMANCE EVALUATION:

Performance appraisals shall be conducted by the Chief Administrative Officer/Director at the completion of the probation period, and at least annually thereafter recorded on Performance Evaluation forms.

The Chief Administrative Officer/Director shall discuss the employee's performance evaluation in detail with the employee, in accordance with the employee evaluation system and standardized forms.

SCOPE OF RESPONSIBILITY:

The Town Council shall:

1. Authorize changes to the policies comprising the program of employee compensation.
2. Review and approve salary categories for all established positions within the Town.
3. Review and consider for approval the recommendations of the CAO in regard to the appropriateness of the salary classifications and ranges from time to time if necessary.

The Chief Administrative Officer shall:

1. Review and recommend changes to policy and procedures as they relate to the employee compensation program.
2. Ensure the maintenance of the salary rating and performance appraisal procedures.
3. Conduct salary rating and performance evaluation procedures relative to Director positions.
4. Monitor salary surveys and make recommendations to Council concerning market conditions as appropriate with an overall market review to be completed every three (3) years, or as directed by Council.
5. Grant step and/or merit adjustments to individual employees in accordance with approved policies and procedures and subject to budgeting limitations.
6. Maintain all personnel files and records.
7. Determine salary ratings for temporary and casual positions.

The Director Shall:

1. Conduct performance evaluation procedures relative to the positions and employees within their respective departments and make appropriate recommendations to the Chief Administrative Officer.
2. Make recommendations to the Chief Administrative Officer regarding step adjustments for employees within their departments.

APPENDIX A
January 1, 2019

Town of Amherst
Salary Grid

Job Level	Salary Amount	
Mayor	Stipend	\$41,178.00
Deputy Mayor	Stipend	\$27,723.00
Councilor	Stipend	\$25,050.00

APPENDIX A-1
April 1, 2024

Salary Grid
Other Non-Union Positions

Job Level
Chief of Police
Deputy Chief of Police
Inspector - Police

** Effective April 1, 2018 the Chief of Police and Deputy Chief of Police salaries will be calculated on April 1st of each year as being 141% and 129% of the first-class constable rates.

** Effective April 1, 2024, the Inspector salary will be calculated on April 1st of each year as being 120% of the first-class constable rates.

APPENDIX B
April 1, 2024

Town of Amherst
Hourly Rates – Casual Positions

Position	Rate
Casual Firefighter	Provincial Minimum Wage + \$4.00/hr.
Jail Guard	Provincial Minimum Wage + \$4.00/hr.
School Crossing Guard	Provincial Minimum Wage + \$2.00/hr.
New Student	Provincial Minimum Wage
First Year Returning Student	Provincial Minimum Wage + \$2.00/hr.
Second+ Year Returning Student	Provincial Minimum Wage + \$3.00/hr.
Professional Student *	Provincial Minimum Wage + \$4.00/hr.

* Applies to student employees enrolled in a professional post-secondary program for which the Town requires specialized education requirements as a condition of employment. i.e. Engineering, Planning, Accounting, etc.

Town of Amherst - 2024/25 Salary Grid
Non-Union

DEPARTMENT	JOB TITLE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
CAO's OFFICE	Deputy CAO	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Municipal Clerk	72,585	74,763	77,005	79,316	81,695	84,146	86,670
	Marketing & Communications Strategist	67,624	69,653	71,742	73,895	76,111	78,395	80,747
	Communications Officer	54,414	56,046	57,728	59,460	61,243	63,081	64,973
	Administrative Assistant - Clerk's Office	49,740	51,232	52,769	54,352	55,983	57,662	59,392
IT	IT Manager	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	IT Coordinator	54,414	56,046	57,728	59,460	61,243	63,081	64,973
COMMUNITY LIVING	Director of Community Living	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Community Well-Being Manager	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Culture, Events & Marketing Coordinator	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Active Living Coordinator	49,740	51,232	52,769	54,352	55,983	57,662	59,392
FINANCE	Director, Finance	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Manager of Financial Services	80,200	82,606	85,084	87,637	90,266	92,974	95,763
	Revenue Officer	54,414	56,046	57,728	59,460	61,243	63,081	64,973
	Accounting Clerk/Accounts Payable	54,414	56,046	57,728	59,460	61,243	63,081	64,973
	Water/Sewer Billing Clerk	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Cashier/Customer Service	49,740	51,232	52,769	54,352	55,983	57,662	59,392
FIRE	Director, Fire Services	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Fire Inspector	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Firefighter	54,414	56,046	57,728	59,460	61,243	63,081	64,973
HUMAN RESOURCES	Director, Human Resources	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	HR Generalist	54,414	56,046	57,728	59,460	61,243	63,081	64,973
OPERATIONS	Director, Operations	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Public Works Foreman	72,585	74,763	77,005	79,316	81,695	84,146	86,670
	Facilities Manager	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Parks & Recreation Foreman	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Solid Waste Education and Coordination Officer	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Engineering Technician	62,295	64,164	66,089	68,071	70,114	72,217	74,383
PLANNING + ECONOMIC DEVELOPMENT	Director, Planning & Economic Development	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Building Official	72,585	74,763	77,005	79,316	81,695	84,146	86,670
	Land Use Planner	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Economic Development Officer	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Dangerous and Unsanitary Premises Coordinator	54,414	56,046	57,728	59,460	61,243	63,081	64,973
POLICE	Executive Assistant/Dispatch Coordinator	54,414	56,046	57,728	59,460	61,243	63,081	64,973
	Bylaw Enforcement Officer	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Crime Prevention Coordinator	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Dispatcher	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Criminal Records Check	41,454	42,698	43,979	45,298	46,657	48,057	49,498

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Chief Administrative Officer	As indicated under "Scope of Responsibility"
Directors and Managers	As indicated under "Scope of Responsibility"

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
1. NS minimum wage updates; 2. Position name changes: Municipal Clerk, Dir. Corp. Communications + Info Technology, removal of GIS Coordinator, addition of Engineering Technician	Crossman: Director, HR and Customer Services	Council	March 27, 2023
Appendix B – amendment to the pay structure for student hourly rate of pay.	Director of HR & Customer Services	Council	April 24, 2023
NS minimum wage updates	Director of HR & Customer Services	Council	September 25, 2023
Addition of new position: Manager of Financial Services	Director of HR & Customer Services	Council	February 26, 2024
1. Revision of hourly rates for casual positions Appendix B, removal of Appendix C "Job Categories", revision to salary scales presented by	Director of HR & Customer Services	Council	April 22, 2024

department (new Appendix C), removal of Appendix C-1; 2. Salary steps moved to 7 levels from 8, equal differential between each step, elimination of level 1, addition of new upper level; 3. Language updates to reflect revisions to Appendices, Director, HR and Customer Services changed to Director, Human Resources. HR Administrator changed to HR Generalist.			
Addition of Inspector salary to Appendix A-1	Director of HR	Council	June 11, 2024
Removal of Procurement Coordinator position, addition of Marketing Manager position, Dir. of Planning + Strategic Initiatives to Dir. Planning + Economic Development, Business Development Officer to Economic Development Officer, addition of Deputy CAO and addition of CAO's Office	Director of HR	Council	January 27, 2025
Addition of CPI supplement for employees in the last step of their respective salary scales	Director of HR	Council	April 28, 2025

MINUTES REFERENCE DATE

December 12, 2000	November 2, 2004	(See April 26, 2004 Minutes)	November 27, 2006
December 18, 2006	February 26, 2007	March 31, 2008	July 16, 2008
September 29, 2008	March 30, 2009	September 28, 2009	March 29, 2010
April 26, 2010	March 28, 2011	August 2, 2011	January 30, 2012
May 23, 2012	November 26, 2012	December 17, 2012	May 1, 2013
September 23, 2013	October 28, 2013	December 16, 2013	April 30, 2014
May 21, 2015	March 29, 2016	May 25, 2016	September 2, 2016
May 23, 2017	June 26, 2017	September 25, 2017	December 18, 2017
February 26, 2018	March 14, 2018	February 28, 2019	September 28, 2020
June 7, 2021	October 5, 2021	November 29, 2021	September 28, 2022
March 27, 2023	April 24, 2023	September 25, 2023	February 26, 2024
April 22, 2024	June 11, 2024	January 27, 2025	

4.8 Workforce Stability and Attrition Management Policy

Moved By Councillor Wells

Seconded By Councillor Furlong

That Council approve the addition of \$150,000 in the 2025/26 operating budget, to be funded from operating reserves, as a temporary overstaffing allowance for the Amherst Police Department and further, to approve the Workforce Stability & Attrition Management Policy – Police Department, #04700-01.

Motion Carried

TITLE: WORKFORCE STABILITY & ATTRITION MANAGEMENT – POLICE DEPARTMENT
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04700-01

APPROVAL DATE: _____ **CAO Signature:** _____

POLICY STATEMENT

This policy aims to present a staffing approach that anticipates vacancies and attrition at the Amherst Police Department due to ongoing staff absences.

SCOPE

This policy applies to the Amherst Police Department and governs the process of temporary overstaffing to offset staffing fluctuations. It includes guidelines for approval, funding, recruitment, and monitoring to maintain a consistent complement of 25 officers.

PURPOSE

The purpose of this policy is to establish a structured approach to maintaining adequate police staffing levels through an overstaffing and attrition model. This model ensures operational stability by proactively managing vacancies caused by staff departures, long-term absences, or unexpected leave, thereby reducing the impact of staffing shortages on policing services.

POLICY GUIDELINES

The police department plays a pivotal role in maintaining public safety in our community. It is essential that staffing levels remain adequate and aligned with the operational needs of the department. Ongoing temporary staff absences that are not addressed can jeopardize police response times, decrease the quality of service provided to the community, and impact the overall safety and security of our residents.

The following measures will be applied to ensure continuity of service and to satisfy the need for consistent staffing levels:

Temporary Overstaffing Allowance

1. The approved staffing complement will remain at 25 officers.

2. When the Police Department is experiencing a situation where less than 25 sworn officers are available for an extended period of time, on the recommendation of the Police Chief, the CAO may authorize the hiring of additional police officers that could result in the department temporarily exceeding the 25 sworn officer allotment should all employees return to work.
3. If a situation develops with more than 25 sworn officers working, the Chief will reduce the number of officers through attrition at the next available opportunity.

Approval Process

- The Chief Administrative Officer (CAO) must approve the use of additional positions before any recruitment occurs.
- The CAO will assess the necessity based on projected staffing levels and department needs, on the recommendation of the Chief of Police.

Funding and Budget Considerations

- Budgetary impact and effectiveness will be reviewed annually to ensure sustainability.
- Adjustments to funding will be made based on staffing trends, department needs, and financial considerations.

Annual Review and Reporting

- The Police Chief will report annually on staffing trends, recruitment efforts, and the impact of the temporary overstaffing allowance.
- Adjustments may be recommended to Council based on the analysis of vacancies and overtime expenditures.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Chief Administrative Officer	The Chief Administrative Officer will: a. Approve the use of additional temporary positions; b. Review funding annually to determine ongoing feasibility.
Chief of Police	The Chief of Police will: a. Monitor staffing levels and identify projected vacancies; b. Oversee recruitment efforts; c. Provide annual reporting on police staffing trends and budget implications.
Director, Human Resources	The Director of Human Resources will: a. Support recruitment efforts; b. Assist in workforce planning initiatives to manage staffing levels.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Director, HR	Council	

Minutes Reference Date:

**4.9 Public Participation and Notification Policy
Moved By Deputy Mayor Davidson
Seconded By Councillor Wells
That Council approve the amendments to the Public Participation and
Notification Policy #66000-03.**

Motion Carried

TITLE: ~~Policy for~~ **Public Participation and Notification Policy**
SECTION: **Planning and Development**
POLICY NO: **66000-03**

APPROVAL DATE: _____ **CAO Signature:** _____

PURPOSE:

To establish a policy for public participation and notification for the adoption of the Municipal Planning Strategy (MPS), Subdivision By-law, Land Use By-law (LUB), Development Agreements, Variances, Site Plans, and amendments thereto.

AUTHORITY:

This policy carries out MGA section 204 that requires Council to adopt a public participation policy concerning the preparation and administration of planning documents. This policy also provides for public notification where required under MGA sections: 204A(1) (Engagement with abutting) 205 (Requirements for adoption of planning documents), 206 (Public hearings), 210 (LUB amendments), 221 (Notifications and costs), 230 (Adoption or amendment of development agreement), 232 (Site-plan approval), 236 (Variance procedures), and 237 (Variance appeals and costs).

The ~~Deputy CAO~~ **Director of Planning and Economic Development**, or designate, is responsible for administration of this policy.

POLICY:

Engagement With the Municipality of the County of Cumberland
 Notification shall be provided to the Municipality of the County of Cumberland when considering the adoption, or amendment of planning documents where lands within 200 metres of the municipal boundary are affected. Notification shall adhere to the Public Participation and Notification Procedure.

Public Participation Session

1. A public participation session will take place at **prior to** a meeting of the Planning Advisory Committee, **and** prior to making a recommendation to Council. Notification of the session shall adhere to the ~~Procedure for~~ Public Participation and Notification **Procedure**.
2. A summary of the public participation session will be provided to Council prior to First Reading.

Public Hearing

1. A public hearing will ~~generally take place prior to a meeting of Council, and~~ prior to **Council** giving second reading of the planning document, Development Agreement, or amendment thereto.
2. ~~Advertisement and~~ Notification of the public hearing shall adhere to the Municipal Government Act, and the ~~Procedure for~~ Public Participation and Notification **Procedure**.

Documentation and Coordination

Documentation and coordination shall adhere to the ~~Procedure for~~ Public Participation and Notification **Procedure**.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Director of Planning and Economic Development and the Clerk	Ensure public participation sessions and public hearings are scheduled as required and that the Public Participation and Notification Procedure is adhered to for notification of public participation sessions and public hearings.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
<ol style="list-style-type: none"> 1. Change Policy title 2. Change who is responsible for administration of this policy from Deputy CAO to Director of Planning & Economic Development 3. Add a section to address engagement with MCC 4. Minor housekeeping changes for clarity 	Director of Planning & Economic Development, Fisher		

Minutes reference date:

4.10 Amherst Train Station - Substantial Alteration

Moved By Councillor McManaman

Seconded By Councillor Ripley

That Council approve the substantial alteration of a municipally registered heritage property at 27 Station Street and further approve in principle the sale or lease of a portion of Town property to accommodate the staircase.

Motion Carried

4.11 Accessibility, Inclusion, Diversion and Equity Committee Appointments

Moved By Councillor Chambers

Seconded By Councillor Furlong

That Council appoint Victoria Vance, LJ Barquilla, Jim Prendergast, Clifford Pinchbeck, Vanessa Jones, Tammy Gero and Marina Godfrey as citizen appointees to the new Accessibility, Inclusion, Diversion and Equity Committee for a term ending March 31, 2027, appoint Deputy Mayor Davidson and Councillor Wells as the two council appointments for a term ending October 31, 2025, and further that Amherst Youth Town Councillor Leah Brunt be invited to attend the meetings as a non-voting member until an Amherst Youth Town Councillor is appointed to this Committee in September.

Motion Carried

4.12 Community Support Grants

Moved By Deputy Mayor Davidson

Seconded By Councillor McManaman

That Council approve the following grants under the Community Support Grants Policy and Social Equity Fund as follows:

Amherst Little League Baseball Association	\$10,000 Year 2 of 3
Cumberland County Transition House	\$10,000 – Social Equity
After the School Bell Food Program	\$10,000 – Social Equity
Food Assistance Network	\$10,000 – Social Equity
Society of Saint Vincent de Paul	\$ 5,000 – Social Equity

Autism Nova Scotia Cumberland Chapter	\$ 4,500 – Social Equity
Border Town Biker Bash	\$ 10,000
NSCC	\$ 15,000 – Social Equity
Amherst 50+ Club	\$ 5,000
LA Animal Shelter	\$ 50,000 Year 3 of 3
Fibre Arts Festival 2025	\$ 2,000
CANSA	\$ 5,000 – Social Equity
CANSA Marathon	\$ 1,000 – Social Equity
Cumberland Pride	\$ 1,000 – Social Equity
Fundy Winds	\$ 5,000
Great Amherst Cultural Society (Esther Fest)	\$ 5,000
Amherst Preschool (one time grant)	\$ 10,000 - Social Equity
Cumberland County Genealogical Society	\$ 9,396
Amherst Curling Club	\$ 8,000
Amherst Wesleyan Church	\$ 12,850
Chignecto Arts Council	\$ 1,000
Tantramar Quilts	\$ 1,000
The Travellers	\$ 1,000
Cumberland County Museum	\$ 5,000

Motion Carried

4.13 Mayor's Budget Address

Mayor Small gave annual budget address:

I am very pleased today to have our 2025/26 Operational and Capital Budgets for Council's consideration.

I would like to thank Director of Finance Sarah Wilson, her staff and indeed all of the Directors and managers who helped develop this budget over the previous months.

I would also like to point out the engagement of all of Council in ensuring that these budgets reflected the priorities of Council, while ensuring prudence in our spending programs.

These budgets reflect the initiatives identified in our newly adopted Strategic Plan that will be implemented during the next four years. While we would prefer to address each and every need of the Town, we believe that by concentrating on our strategic initiatives, we will get the most 'bang for our buck' and make significant strides in the positive development of our community.

I am very happy to announce that our tax rates will remain unchanged for the upcoming fiscal year. Due to the provincial CAP program, residential assessments for tax purposes will increase by a maximum of 1.5% for those properties that did not sell during the past fiscal year.

A few of the budget highlights include:

- Community Centre
 - \$500,000 has been built into the general tax rate to pay for a significant portion of the future borrowing costs of a new community centre. We hope to be able to announce more details very soon.
- Housing
 - Approximately \$1,000,000 has been included in the Capital Budget for housing infrastructure initiatives to be funded mainly from the Housing Accelerator Fund.
- Mobility Strategy
 - Grant funding has been secured in the amount of \$50,000 for a Transit Feasibility Study.
 - Approximately \$150,000 has been included in the capital budget for sidewalk installation and repairs.
- Marketing
 - Funds have been included in the operational budget for the creation of a new marketing position and an additional \$30,000 has been allocated for new marketing initiatives.
- Vibrant Community
 - \$65,000 for New Lighting for Victoria Square
 - \$20,000 for Fireworks
 - \$6,000 Lions Park Drainage Improvements
 - \$15,000 CCUBIC Stage Lighting Improvements
- Economic Development
 - \$12,000 Tourism Student
 - \$25,000 CCUBIC Boardroom Improvements
- Social Needs
 - Over \$200,000 for Community Support Grants to Organizations.
 - \$25,000 for Library Accessibility Improvements
 - \$50,000 for the continuation of the Community Navigator (health care recruitment)
 - \$50,000 for the Armoury Feasibility Study
 - Increased the low-income cutoff from \$28,000 to \$30,000 so more people can qualify for the \$450 property tax rebate
- Environment
 - \$650,000 for UV Disinfection at the Waste Water Treatment Facility
- Safety
 - \$150,000 included for Police Officer Continuity
 - \$175,000 contribution towards a Live Fire Training Facility
- Infrastructure
 - In excess of \$1,000,000 for various infrastructure repairs and equipment purchases, including over \$500,000 for street paving

- We have included \$494,000 for asphalt patching of our streets and parking lots, which is our largest allotment for this purpose ever.

I am now going to ask Council to present the required motions to adopt the 2025/26 operating and capital budgets.

4.13.1 Estimates of Revenues and Expenditures

Moved By Councillor Ripley

Seconded By Councillor McManaman

THAT Council accepts the following estimates of the sums required by the Town of Amherst for the fiscal year ending March 31, 2026, prepared in accordance with Section 72 of the *Municipal Government Act*:

Revenues	2025/26 Budget
Taxes	\$ 17,564,937
Grants in Lieu of Taxes	273,649
Services Provided to Other Local Gov't	279,272
Sale of Services	1,508,147
Other Revenue from Own Sources	1,014,788
Unconditional Transfers	1,323,275
Conditional Transfers	1,027,282
Other Transfers	511,105
Total Revenues	\$ 23,502,455

Expenditures by Department	2025/26 Budget
Executive Office	\$ 1,079,049
Finance	2,690,146
Human Resources	276,950
Police	5,780,479
Fire	2,071,936
Community Living	996,036
Operations	2,691,846
Recreation Facilities	1,543,097
Planning, Development & Economic Development	635,290
Strategic	589,445
Environmental Stewardship	64,563
Sewage	1,200,590
Solid Waste	1,004,538
Mandatory Provincial Support Area Rate	2,252,034
Community Support Area Rate	626,456
Total Expenditures	\$ 23,502,455

Motion Carried

4.13.2 General Tax Rate

Moved By Councillor McManaman

Seconded By Deputy Mayor Davidson

THAT for the Town of Amherst for the fiscal year ending March 31, 2026 the General Tax Rate is as follows:

Residential / Resource \$1.259 per \$100 of assessment
Commercial \$4.059 per \$100 of assessment

Motion Carried

4.13.3 Area Rate - Community Support

Moved By Councillor Chambers

Seconded By Councillor Wells

THAT for the Town of Amherst for the fiscal year ending March 31, 2026 the Community Support Area Rate is as follows:

Residential / Resource	\$0.089 per \$100 of assessment
Commercial	\$0.089 per \$100 of assessment

Motion Carried

4.13.4 Area Rate - Mandatory Provincial Contribution

Moved By Councillor McManaman

Seconded By Councillor Chambers

THAT for the Town of Amherst for the fiscal year ending March 31, 2026 the Mandatory Provincial Contribution Area Rate is as follows:

Residential / Resource	\$0.322 per \$100 of assessment
Commercial	\$0.322 per \$100 of assessment

Motion Carried

4.13.5 Wastewater Treatment Facility (WWTF) Uniform Charge

Moved By Deputy Mayor Davidson

Seconded By Councillor Wells

THAT for the Town of Amherst for the fiscal year ending March 31, 2026 the Wastewater Treatment Facility Uniform Charge is set at \$82.80 on each unmetered mobile home within a land leased community within the boundaries of the Town of Amherst.

Motion Carried

4.13.6 Solid Waste Management Uniform Charge

Moved By Councillor Furlong

Seconded By Councillor McManaman

THAT for the Town of Amherst for the fiscal year ending March 31, 2026 the Solid Waste Management Uniform Charge is set at \$278.00 on each residential property within the boundaries of the Town of Amherst with less than four such dwelling units.

Motion Carried

4.13.7 Sanitary Sewer Rates

Moved By Councillor Ripley

Seconded By Councillor Furlong

• **Metered Customers**

Those owners whose water service is metered shall pay a usage charge:

- **Residential:** \$0.99 per cu. meter of metered water consumption as determined by the Amherst Water Utility;
- **Commercial/Industrial/Institutional:** \$0.49 per cu. meter of metered water consumption as determined by the Amherst Water Utility;
- **Base Charges**

Those owners whose water service is metered shall pay a base charge quarterly. The quarterly base charge by meter size is:

5/8"	\$20.70
3/4"	\$31.05
1"	\$50.31
1 1/2"	\$98.90
2"	\$156.69
3"	\$311.94
4"	\$575.00

• **Non-Metered Customers**

For non-metered customers in unmetered mobile home parks, the park owner shall pay \$189.23 per dwelling unit per annum.

Motion Carried

4.13.8 Water Utility Operating Budget

Moved By Councillor Chambers

Seconded By Councillor Ripley

That Council approve the 2025-2026 Amherst Water Utility Operating Budget of \$2,634,380 as presented.

Motion Carried

4.13.9 General Borrowing Resolution

Moved By Councillor Wells

Seconded By Councillor Furlong

That Council approve a general borrowing resolution authorizing a line of credit in the amount of \$7.7 million with the Royal Bank of Canada to meet the current expenditures of the Town of Amherst for the year ending March 31, 2026.

Motion Carried

4.13.10 Community Navigator Position

Moved By Councillor Furlong

Seconded By Deputy Mayor Davidson

That Council approve the extension of the Community Navigator position for two years (April 1, 2025 to March 31, 2027) funded out of the Operating Reserve and authorize the Mayor and CAO to sign the contribution agreement on the Town's behalf.

Motion Carried

4.13.11 User Fee Policy Amendment

Moved By Councillor Ripley

Seconded By Councillor McManaman

That Council approve the amendment to the User Fee Policy 03470-03 to increase sewer base charges, sewer flat charges and the uniform charge for Wastewater Treatment Facility to reflect the changes highlighted in the attached red-line policy and as listed below:

TITLE:	User Fee Policy
SECTION:	FINANCIAL MANAGEMENT
POLICY NO.:	03470-03

APPROVAL DATE: April 22, 2024 **CAO Signature:** _____

PURPOSE:

To establish a schedule of user fees for Council to review for appropriateness and to revise if necessary, during the annual budgeting process.

POLICY STATEMENT:

It is appropriate for Council to charge fees, as authorized under the *Municipal Government Act*, in the Town's Bylaws, Policies and Procedures in order to defray its administrative costs. In order to allow for a systematic and thorough evaluation of those fees, a comprehensive schedule of User Fees with applicable tax status has been established. The responsibility for the accuracy of the Schedule shall rest with the department to which a fee applies. Any additions/deletions to the Schedule will be updated by the Executive Office. Those fees legislated under Provincial and/or Federal Acts and Authorities will also be shown on the schedules for completeness, but will not be subject to change by Council.

OBJECTIVES:

To make the administration of the cost recovery portion of the Town's Bylaws, Policies and Procedures more efficient and to determine the impact on each year's projected revenues during the budget process. By combining all of the fees in one document, the review will be more visible and complete.

Corporate Services		
SERVICE/PRODUCT/ADMINISTRATIVE	FEE	HST STATUS
Photocopies	.25/copy	Plus HST
Tax Certificates	\$50.00	HST Exempt
NSF Cheques	\$20.00	HST Exempt

By-Law Fees Collected by Corporate Services		
C-4 Dog-By-Law, Schedule A		
Dog License spayed/neutered	\$15/yr	HST Exempt
Dog License un-spayed/un-neutered	\$30/yr	HST Exempt
Lost Tag Replacement	\$15	HST Exempt
Dog-1 st Impoundment	\$75	Plus HST
Licensed Dog-2 nd Impoundment	\$150	Plus HST

Licensed Dog-3 rd & Subsequent Impoundments	\$150	Plus HST
Unlicensed Dog-Impoundments	\$150	Plus HST
Maintenance fee – Impoundment period	\$25/per day	Plus HST
C-11 False Alarms - After 2nd Notice	\$50/alarm	HST Exempt

Operational Services		
It is not the intention of the policy to rent Town of Amherst equipment to the general public; these rates and the availability of this equipment are contemplated for use by commercial concerns only.		
Equipment Charge out Rates	Rate per Hour	HST Status
Backhoe	\$93.00*	Plus HST
Loader	\$97.25	Plus HST
1-ton trucks/Service trucks	\$44.23*	Plus HST
3-5 ton trucks	\$66.00*	Plus HST
Street Sweeper	\$115.00*	Plus HST
Trackless	\$70.00*	Plus HST
Sewer Camera	\$100.00*	Plus HST
Line Locator	\$50.00*	Plus HST
Hole Hog	\$45.00*	Plus HST
Vermeer Brush Chipper	\$60.00*	Plus HST
Steamer	\$30.00*	Plus HST
Trash Pump	\$15.00	Plus HST
Diaphragm Pump	\$15.00	Plus HST
Line Painter	\$115.00/hour	Plus HST
Overhead charges extra – see procedure		
* Price includes one operator and fuel during normal working hours; overtime labour rates are extra.		

Operational Services By-Laws		
D-3 Wastewater Discharge By-Law		
One Connection	\$750.00	HST Exempt
Storm Sewer Connection (if done at the same time as sewer connection)	\$250.00	HST Exempt
D-19 Sanitary Sewer Rates By-Law		
Residential Metered Customers	\$.99 m ³	HST Exempt
Commercial/Industrial/Institutional metered customers	\$.49 m ³	HST Exempt
Annual Base Charges – Meter Size		
5/8"	\$72.00 \$82.80	HST Exempt
3/4"	\$108.00 \$124.20	HST Exempt
1"	\$175.00 \$201.25	HST Exempt
1.5"	\$344.00 \$395.60	HST Exempt
2"	\$545.00 \$626.75	HST Exempt
3"	\$1,085.00 \$1,247.75	HST Exempt
4"	\$2,000.00 \$2,300.00	HST Exempt
Annual Non-metered Mobile Home Park Owner	\$178.53 \$189.23 /dwelling unit/year	HST Exempt
Uniform Charge for Wastewater Treatment Facility for unmetered mobile homes billed on the property Tax Bill	\$72.00 \$82.80/yr	HST Exempt

Solid Waste Rates		
Solid Waste Collection billed on Tax Bill	\$278.00/yr	HST Exempt
Replacement Green Bin (Composter)	\$95.00	Plus HST
Replacement White Kitchen Compost (Bucket)	\$5.00	Plus HST

Services/Products – Operational Services		
Electric Vehicle Charging Station User Fee	\$1.50/hr	HST Included
Street Breaking Permit (Policy 31600-08)	\$500.00	Plus HST
Commercial Sewer Service (Policy 31600-14)	Cost of Service	Plus HST
Estimated by Engineer and final adjustment when work is done		

Planning and Development Department		
Zoning Confirmation Letter	\$50.00	HST Exempt
Copy of Land Use Bylaw or Municipal Planning Strategy	\$20.00	HST Exempt
Copy of Zoning Map (11 x 17)	\$5.00	HST Exempt
Copy of Zoning Map (50 cm x 60 cm)	\$10.00	HST Exempt
Application to Amend the Land Use Bylaw	\$200.00	HST Exempt
Application for a Development Agreement	\$200.00	HST Exempt
Application to Amend the Municipal Planning Strategy	\$300.00	HST Exempt
Application for a Variance or Site Plan	\$75.00	HST Exempt
Creation of Mapping Document	\$60.00/hr(including 10 lineal metres of maps)	Plus HST
Print Existing Map – less than 50 cm x 50 cm	\$25.00	Plus HST
Print Existing Map – more than 50 cm x 50 cm	\$50.00	Plus HST

Building Permits		
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New residential buildings, community centres, churches	\$50.00 + \$0.12 per square foot	HST Exempt
New Commercial, Industrial or other building not listed	\$50.00 + \$0.17 per square foot	HST Exempt
All alterations or repairs	\$50.00 + 0.25% of value	HST Exempt
Decks, accessory buildings and farm buildings	\$50.00 + \$0.04 per square foot	HST Exempt
Demolition	\$20.00	HST Exempt
Permit Renewals	\$50.00	HST Exempt
Development Permit	\$50.00	HST Exempt
Police Department		
Commissioner of Oaths Signing	\$15.98	HST Exempt
Criminal Record Check/Vulnerable Sector for Amherst citizens to participate as volunteers for community organizations.	Waived	N/A
Criminal Record Check	\$30.00	Plus HST
Criminal Record Check for Amherst citizens to participate as volunteers for community organizations	Waived	N/A
Serial # Verification (homemade trailers)	\$25.00	Plus HST
Fingerprints (for non-criminal reasons)	\$50.00	Plus HST
Accident Reports	\$25.00	Plus HST
Community Room Rental	\$125.00/day \$75.00/half day	Plus HST
C-9 Taxi By-Law, Schedule E		
Taxi Cab License	\$25/yr	HST Exempt
Taxi License Transfer	\$10	HST Exempt
Taxi Driver License	\$20/yr	HST Exempt
Taxi Driver License Replacement	\$10	HST Exempt
Taxi License Photo	\$10.00	Plus HST

Fire Department		
Firefighter	\$20.00/hour	HST Exempt
Apparatus	\$200.00/in use; \$100.00/standby	HST Exempt
Standby Jaws of Life Alarm	\$350.00	HST Exempt
Meters	\$50.00/hr	HST Exempt
Saws	\$50.00/hr	HST Exempt
Lighting System	\$25.00/hr	HST Exempt
Generator	\$25.00/hr	HST Exempt
Foam – All Types	\$185.00/jug	HST Exempt
Specialized Suits – Hazmat	Replacement cost	HST Exempt
PPE (bunker gear)	Replacement cost	HST Exempt
Fire Extinguisher Training	\$300.00 up to 15 people	Plus HST
Fire Inspections	\$75.00/hr	Plus HST
Inspection Confirmation Letter	\$50.00	HST Exempt

Recreation								
Ice Time/Stadium								
The rates below are per hour plus HST.								
	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Holidays
Early Time 6:30-8:30am	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$128.00
Fair Time 8:30-5:00pm	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	-	-	\$128.00
Prime Time 5:00-12:00am	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00
Youth Time Monday-Sunday	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00

Youth Time Rates Include:

- Groups affiliated with Amherst Skating Club; or
- Groups affiliated with another skating club; or
- Groups affiliated with Skate Nova Scotia and/or Skate Canada who are **18 years old and younger.**
- Groups affiliated with Cumberland County Minor Hockey; or
- Groups affiliated with another minor hockey association; or
- Groups affiliated with Hockey Nova Scotia or Hockey Canada who are **18 years old and younger.**
- Groups affiliated with Ringette Nova Scotia; or
- Groups affiliated with Ringette Canada who are **18 years old and younger.**
- Community groups who don't reside in the Town of Amherst and are **18 years old and younger.**

Photocopies/Stadium (Policy 72000-06)		
8 ½ X 11 (Town Paper)	\$0.10/copy	Plus HST
8 ½ X 14 (Town Paper)	\$0.15/copy	Plus HST
11 X 17 (Town Paper)	\$0.25/copy	Plus HST
8 ½ X 11 (own paper)	\$0.05/copy	Plus HST
8 ½ X 14 (own paper)	\$0.05/copy	Plus HST

11 X 17 (own paper)	\$0.10/copy	Plus HST
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Ballfield User Policy (Policy 72300-01)		
Lights	\$18/diamond/game	Plus HST
Tournament Fee	\$100/day	Plus HST
Tournament Lights	\$30/day	Plus HST

Stadium Advertising Rates plus artwork, design and production*		
Ice logos	\$400.00	Plus HST
Dasherboard	\$400.00	Plus HST
Wall Signage (4X6)	\$400.00	Plus HST
Ice Making Machine	\$2,500.00	Plus HST
Red and Blue Line – per line (not per side)	\$100.00	Plus HST
Stairs Kick Plates	3 for \$150.00	Plus HST
Score clock Small	\$600.00	Plus HST
Score clock Large	\$850.00	Plus HST

*In addition to the advertising rate, the customer will be responsible and invoiced for all cost(s) associated with the creation of artwork, design, production & installation if applicable. Actual quote will be provided at the time the service is requested.

Off Season Stadium Rentals		
Rink Floor Only	\$50.00 per hr or \$630.00 per day (8:00a.m. to 12:00a.m. midnight)*	Plus HST
Entire Facility including meeting rooms, team rooms	\$70.00per hr or \$790.00 per day (8:00a.m. to 12:00a.m. midnight)*	Plus HST
Extra Employees	\$25.00 per person per hour	Plus HST
2 nd Floor meeting room and lounge	\$50.00 per hour or \$150.00 per day	Plus HST

*Includes one employee during that time

Community Credit Union Business Innovation Centre			
Rental Fee	Daily	1/2 Day	Hourly
Conference Room	\$400.00	\$250.00	\$80.00
Conference Room – Community	\$240.00	\$150.00	\$48.00
Boardroom	\$125.00	\$80.00	\$25.00
Boardroom – Community	\$75.00	\$48.00	\$15.00
Hub	\$75	\$50	
Hub – Community	\$45	\$30	
Evening & Weekend Surcharge			\$20.00
Evening & Weekend Surcharge – Community			\$12.00
Sound & Lighting Technician			\$30.00
Sound & Lighting Technician – Community			\$18.00

*HST shall be applied and be in addition to all rates noted for the Community Credit Union Business Innovation Centre

Municipal Government Act Fees – FOI-POP Section 466, MGA
The fees charged for access to information under Part XX of the MGA (Freedom of Information and Protection of Privacy) shall be in accordance with the Freedom of Information and Protection of Privacy Regulations of Nova Scotia, as amended from time to time.

Note: "All rates and charges with respect to the Amherst Water Utility will be in accordance with the schedule of rates for water and water services as approved by the Utility and Review Board of Nova Scotia from time to time and as reflected in the Order of the Board."

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Director of Finance	User Fee Policy is reviewed with departments annually as part of the operating budget process to determine if any updates / changes are required.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
Add Fee for Electric Vehicle Charging Station \$1.50/hr HST included.	Director of Finance - Wilson	Council	January 23, 2023
Increase Solid Waste Collection Uniform Charge from \$185 to \$268 per year.	Director of Finance – Wilson	Council	April 24, 2023
Increase the fees for Dog impoundments to reflect amendments made to the Companion Animal Bylaw	Director of Finance – Wilson	Council	January 22, 2024

Increase the Solid Waste Collection Uniform Charge from \$268/yr to \$278/yr, and remove the section for Beer/Liquor Concession Robb Centennial Park (Policy 72300-05)	Director of Finance - Wilson	Council	April 22, 2024
Increase Sewer Base Charges, Sewer Flat Charge and Wastewater Treatment Facility Uniform Charge.	Director of Finance – Wilson		

Minutes Reference Dates:

30 April 2007	29 October 2007	18 April 2008
28 May 2009	26 April 2010	24 May 2011
23 May 2012	01 May 2013	30 April 2014
12 June 2015	25 May 2016	03 October 2016
23 January 2017	23 May 2018	15 May 2019
25 May 2020	22 June 2020	27 September 2021
08 June 2022	22 April 2024	

Motion Carried

4.13.12 Tax Reduction Policy Amendment

**Moved By Deputy Mayor Davidson
Seconded By Councillor Wells**

That Council approve the Tax Reduction Policy #3800-02 as amended and increase the income cut-off amount from \$28,000 to \$30,000. Also adding clarification that should a property owner’s total tax bill be less than the exemption, the exemption will be equal to the full amount of the tax bill.

Motion Carried

TITLE:	TAX REDUCTION POLICY
SECTION:	FINANCE
POLICY NO:	03800-02

APPROVAL DATE: _____ **CAO Signature:** _____

PURPOSE:

To establish a policy to determine the reduction in taxes for a person (s) whose income from all sources for the calendar year preceding the fiscal year of the Town of Amherst is below the amount set out in this policy AND to determine the reduction in taxes for the owner(s) of a building which has been completely or partially destroyed.

POLICY STATEMENT (1): LOW INCOME

It shall be the policy of the Amherst Town Council that an exemption from taxes will be granted, pursuant to Section 69(2) (a) of the Municipal Government Act, according to the following income levels and amounts:

- Less than ~~\$28,000~~ **\$30,000** - a credit of \$450

The following conditions will apply:

- That the exemption be granted to every person assessed with respect to taxable property in the Town of Amherst, who is a resident of the Town of Amherst, and whose total household income from all sources for the calendar year preceding the fiscal year of the Town of Amherst must be ~~\$28,000~~ **\$30,000** or less, including the income of all other members of the same family residing in the same household but does not include allowances paid pursuant to the War Veterans Allowance Act (Canada) or pension paid pursuant to the Pension Act (Canada);
- That the exemption shall only be available for residents where the property is their primary residence occupied by him/her year-round;
- That, where two or more persons, one or more of whom are entitled to an exemption, are – the owners of taxable property together, the person(s) is entitled to that portion of the amount of the exemption that the amount of his/her assessment bears to the whole property assessment;
- That the person applying for the exemption provide a copy of their Notice of Assessment from Revenue Canada for the prior year and make an affidavit regarding his/her income for that period and return such affidavit to the Town Office not later than September 30 of the year in which the taxes are payable.
- To qualify for the exemption, a property owner’s previous year’s rates and taxes must be paid in full at the time of their application. In the case of owners with taxes in arrears, the owner can qualify if they have signed a Payment Arrangement Agreement and have made at least twelve consecutive payments of the agreed upon amount.
- Should a property owner’s total tax bill for that year be less than the exemption for that year, then the exemption will be equal to the full amount of the tax bill for that year.**

POLICY STATEMENT (2): BUILDING DESTROYED

In accordance with Section 69(A) of the Municipal Government Act, that where a building(s) situate on a property has become permanently unlivable or unusable due to fire and the current assessment of the property does not reflect that the building (s) has been destroyed, it shall be the policy of the Amherst Town Council to permit the reduction or rebate of property taxes on the building(s) alone for the balance of the taxation year under the following conditions.

- a) The taxpayer shall apply in writing to the Clerk asking for a reduction or rebate of property taxes.
- b) The Clerk shall ask the Building Inspector to confirm the complete destruction of the building(s).
- c) The Clerk shall ask the Regional Assessment Office to determine the following years assessment value before any subsequent rebuilding or construction.
- d) Upon receipt of the Building Inspectors and Provincial Assessments report, the Clerk shall authorize the Treasurer to reduce the amount of the taxes on the building(s) by pro rating the same over the balance of the taxation year from the date of destruction.
- e) This policy section shall be made retroactive to April 1, 2005; provided that if, as a result of this policy being made retroactive, it results in property taxes being rebated such sums shall be paid without interest.
- f) If the owner of the property in question is found guilty of arson, either civilly or criminally, the Clerk shall not rebate any taxes. In the event that taxes have already been rebated, then that rebate shall be void ab initio, and the taxes with interest accrued thereon will become immediately due and payable, it being the overriding policy of the Town of Amherst that a person shall not benefit from his or her own wrongdoing.

Title/Role	Responsibilities
Director of Finance	Policy is reviewed as part of the operating budget annually.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
Updating income amount and for Policy Statement (1) Low Income and add (f).	Director of Finance		

Minutes reference date:	19 December 2005	24 April 2006	18 April 2008
	28 May 2009	24 May 2011	23 May 2012
	30 April 2014	21 May 2015	25 May 2016
	23 May 2017	23 May 2018	21 May 2019
	22 June 2020	28 April 2025	

4.13.13 Tax Exemption Policy Amendment

Moved By Councillor Chambers

Seconded By Deputy Mayor Davidson

That Council approve the amended Tax Exemption Policy # 03800-04 to add Cumberland Homelessness and Housing Support Association to Appendix A, as well as the following policy revisions:

- **Correction Municipal Government Act under Authority.**
- **Adding columns to Appendix A and Appendix B for Extent of Application and Exemption.**
- **Removal of line from Appendix A indicating extent of exemption is automatically 100%.**
- **Adding two additional questions to Appendix C.**

Motion Carried

TITLE: Tax Exemption Policy
SECTION: FINANCIAL MANAGEMENT
POLICY NO.: 03800-04

APPROVAL DATE: _____ **CAO Signature:** _____

PURPOSE:

The purpose of this policy is to provide relief of current taxes for property of qualifying registered Canadian charitable organizations and/or non-profit organizations as defined within this policy and as specifically identified on the appendices attached.

AUTHORITY:

This policy is authorized under Part IV, Sections 69A and 71, *Municipal Government Act*, as amended from time to time.

DEFINITIONS:

For the purpose of this policy:

Qualifying non-profit organization means:

- a registered Canadian charity [Canadian Revenue Agency] if the property being exempted is used directly and solely for a charitable purpose;
- a non-profit community, charitable, fraternal, educational, recreational, religious, cultural or sporting organization.

POLICY STATEMENT:

Tax Exemption – Charitable and Non-profit Community Organizations

- a. Council may, at its discretion, provide a tax exemption to qualifying non-profit organizations demonstrating services to the residents of the Town of Amherst.
- b. In order to be considered for a tax exemption, all organizations or institutions must apply in writing to the Town of Amherst by January 31 of each year by completing Appendix C. Included with the application will be the annual financial statements for the most recent fiscal year. Exemptions granted will be based on the financial need of the organization or institution.
- c. The property of the organizations named in Appendices A and B to this policy shall be exempt or taxed in accordance with the particular appendix.
- d. The partial or total exemption shall apply only to that portion of the property specified in the appendix.
- e. When a property, or part thereof, listed on an appendix to this policy ceases to be occupied by the association or for the purposes set out in the appendix, or if not in good standing, then the partial or total exemption from taxation shall cease and the owner of the property shall immediately be liable for the real property tax on such property or part thereof for the portion of the year then expired.

APPENDIX A

Properties of a named registered Canadian charitable organization and that is used directly and solely for a charitable purpose be exempt from taxation under Section 71(1) (a) of the Municipal Government Act and from area rates in accordance with Section 71(5) of the Municipal Government Act, to the extent set out in the last two columns of this appendix. Properties in Appendix A can be Residential or Commercial assessed. ~~The exemption for these properties is 100% of the commercial or residential taxes.~~

PROPERTY	OWNER	ASSESSMENT ACCOUNT NUMBER	CHARITABLE NUMBER	EXTENT OF APPLICATION	EXTENT OF EXEMPTION
Land and Building 25 Park St.	Bright Beginnings Child Care Centre	00064017	106708126	Whole	100%
Land and Building 1 Rupert St.	Amherst & District Residential Services Society	00635928	854331394	Whole	100%
Land and Building 16 Station St.	Bridge Adult Services Society	03030563	852586551	Whole	100%
Land and Building 20 Havelock St.	Trinity-St. Stephen's United Church	04405307	130164007	Whole	100%
Land and Building 82 Willow St.	Amherst and District Residential Services Society	05127858	854331394	Whole	100%
Land and Building 44 Park Street	Cumberland County Transition House	03533654	106995624	Whole	100%
Land and Building 10 Prince Arthur St.	Cumberland Homelessness & Housing Support Association	02484935	737309484	Whole	100%

APPENDIX B

Properties of non-profit community, charitable, fraternal, educational, recreational, religious, cultural or sporting organizations that are assessed as taxable commercial property be reduced to the tax that would otherwise be payable if the property were residential, inclusive of area rates under Section 71(2) of the Municipal Government Act, to the extent set out in the last two columns of this appendix. Properties in Appendix B can only be assessed Commercial. The exemption for these properties is the difference between the amount of commercial taxes and residential taxes.

PROPERTY	OWNER	ASSESSMENT ACCOUNT NUMBER	EXTENT OF APPLICATION	EXTENT OF EXEMPTION
Land and Building 20 Lawrence St	Amherst Masonic Society	00064149	Whole	100%
Land and Building 5 Electric St.	Amherst Lions Club	05127807	Whole	100%
Land and Building 45 Prince Arthur St.	Amherst Curling Club	00064009	Whole	100%

Board Room and Counselling Rooms 41 Russell Street (Commercial portion only)	Cumberland County Transition House Association	07419112	Whole of Commercial Portion	100%
Land and Building 80 Church Street (Commercial portion only)	Tantramar Community Radio Society	00005045	Whole of Commercial Portion	100%
Playground 36 Hickman St	Amherst Lions Club	04641027	Whole	100%

APPENDIX C - APPLICATION

1. ORGANIZATION OR INSTITUTION INFORMATION

Name of Organization/Institution: _____

Civic Address: _____

AAN: _____

Full Mailing Address: _____

Contact Person: _____

Email Address: _____

Telephone: _____

2. Are you a registered Canadian Charitable Organization? YES ___ NO ___

If so, what is your Charitable number: _____

3. Are you a non-profit community, charitable, fraternal, educational, recreational, religious, cultural, or sporting organization? YES ___ NO ___

4. Attached are our most recent financial statements: YES ___ NO ___

5. What square footage of the property produces rental income? _____

6. What is the total square footage of the property? _____

5. If your organization were NOT to receive the property tax exemption, what impact would this have on your organization?

6. What social and financial benefit does your organization provide to the community? What would the community lose if this organization did not exist?

7. What other services and/or support does the Town provide to this organization?

Please drop off at Town Hall, located at 98 Victoria Street East, or mail to P.O. BOX 516 Amherst, NS B4H 4A1. Direct all enquiries to the Revenue Officer, 902-667-6514.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Director of HR & Customer Services	The Director will: <ol style="list-style-type: none"> Ensure applications are received annually and that club exemptions are applied to accounts after the annual operating budget is approved.
Revenue Officer	The Revenue Officer will: <ol style="list-style-type: none"> Notify the Director of changes to be considered; Administer and facilitate the application of the tax exemption policy to qualifying organization tax accounts in accordance with the policy.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
Policy reviewed for preparation of 2023/24 operating budget: remove Cumberland Columbia Club from Appendix "B" due to sale of properties.	Crossman: Director, HR and Customer Services	Council	April 24, 2023
Policy reviewed for preparation of 2025-26 operating budget: add Cumberland Homelessness & Housing Support Association to Appendix "A".	Wilson: Director of Finance	Council	

Minutes Reference Date: June 25, 2018 May 25, 2020

4.13.14 Capital Budget Carry Over Projects

Moved By Councillor Wells

Seconded By Councillor Furlong

That Council approve the capital carry over projects of \$990,000 for the Water Utility and \$1,165,000 for General Capital to be included the 2025/26 Town of Amherst Water Utility and General Capital Budgets.

And further for all land sales in 2025/26, that the proceeds of sale will go to the Capital Reserve and any expenses related to the land sales will be paid for from the proceeds of sale in the Capital Reserve.

Motion Carried

4.13.15 Water and General Capital Budget

Moved By Councillor Ripley

Seconded By Councillor McManaman

That Council approves the Town of Amherst General Capital Budget for the 2025-26 fiscal year as presented in the amount of \$3,814,564 and the Amherst Water Utility Capital Budget for the 2025-26 fiscal year in the amount of \$588,000 to be funded as follows:

Town of Amherst - General Capital		Amherst Water Utility	
Capital from Revenue	\$ 1,031,900	Capital from Revenue	\$ 40,000
Capital Reserve	431,879	Water Depreciation	435,000
Operating Reserve	342,500	Grant - Housing Accelerator Fund	80,000
Canada Community Building Fund (formerly Gas Tax Fund)	663,000	Contribution	33,000
			<u>\$ 588,000</u>
Grant - Housing Accelerator Fund	864,864		
Grants - Federal/Provincial	262,300		
Long Term Debt	218,121		
	<u>\$ 3,814,564</u>		

And further, that Council approve in principle the subsequent four years' Capital Budget plans as presented:

<u>Fiscal Year</u>	<u>General Capital Total Amount</u>	<u>Water Capital Total Amount</u>
2026-2027	\$ 4,506,700	\$ 761,000
2027-2028	\$ 4,702,000	\$ 979,000
2028-2029	\$ 4,793,000	\$ 751,000
2029-2030	\$ 5,878,400	\$ 1,976,600

To be clear, the second part of this motion contemplates the approval of the amounts for the years 2026-2027 to 2029-2030 for planning purposes only; this is not the authority to spend, nor is it necessarily the final and complete listing.

Motion Carried

5. INFORMATION / DISCUSSION ITEMS

- 5.1 **2025/2026 Operating and Capital Budget Report**
Information item only, included as part of the agenda package.
- 5.2 **Empowering Cumberland Conference Verbal Report - Small**
Information item only.
- 5.3 **Cumberland Y's Service Club Verbal Report - Small**
Information item only.

6. INTERNAL COMMITTEE REPORTS

- 6.1 **Planning Advisory Committee - Ripley**
Information item only, included as part of the agenda package.
- 6.2 **Amherst Board of Police Commissioners - Davidson**
Information item only, included as part of the agenda package.
- 6.3 **Amherst Youth Town Council**
Information item only, included as part of the agenda package.

7. EXTERNAL COMMITTEE REPORTS

- 7.1 **Cumberland Public Libraries - McManaman**
Information item only, included as part of the agenda package.
- 7.2 **Cumberland YMCA - Chambers**
Information item only, included as part of the agenda package.
- 7.3 **L. A. Animal Shelter - Davidson Verbal Report**
Information item only.

8. ADJOURNMENT

There being no further business, Mayor Small adjourned the meeting.

Natalie LeBlanc
Municipal Clerk

Robert Small
Mayor

**Town of Amherst
Public Hearing**

Minutes

Date: May 14, 2025
Time: 5:00 pm
Location: Council Chambers, Town Hall

Members Present Mayor Robert Small
Deputy Mayor Hal Davidson
Councillor Charlie Chambers
Councillor Nic Furlong
Councillor Terry McManaman
Councillor Dwayne Ripley

Members Absent Councillor Kathy Wells

Staff Present Kim Jones, Deputy Chief Administrative Officer
Andrew Fisher Director, Planning & Economic Development
Torben Laux Development Officer
Sean Payne, Marketing & Communications Officer
Natalie LeBlanc, Municipal Clerk
Cindy Brown, Administrative Assistant

1. CALL TO ORDER

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

2. TERRITORIAL ACKNOWLEDGMENT

Mayor Small gave the Territorial Acknowledgement.

3. 112 West Victoria Street Development Agreement Application

3.1 Presentation

Torben Laux presented the application for a Development Agreement on the property located at 112 West Victoria Street (PID 25000605), to permit the construction of two 16-unit buildings and three 8-unit buildings.

3.2 Written Submissions

Mayor Small explained that the written submissions received have been provided to Council and will be included in the information package considered by Council.

3.3 Public Participation Opportunity Summary (with written submissions) - June 20, 2024

Information item only.

3.4 Council Questions / Comments

Councillor Ripley asked why this application was being built where the trees are and not on the other side of the property. He wanted to know if it had to do with the water pathway. Torben Laux answered it is due to the water course and the topography of the land.

Councillor Ripley asked how close is the driveway to the closest dwelling along West Victoria Street. Torben Laux answered at the closest point it is four to five feet.

Deputy Mayor Davidson asked if this application is inconsistent with any of the Municipal Planning Strategy and/or Land Use Bylaw Policies. Andrew Fisher answered that the application meets the general intent of relevant policies.

Councillor McManaman said one of his questions was about affordable housing but that had already been answered but he wanted to know if there will be any fencing required. Torben Laux answered that there will be fencing as laid out in the development agreement along both sides of the driveway into the development, otherwise a buffer around the property could be a mix of fencing and/or vegetation.

Councillor Furlong asked if there will be any environmental site assessments required. Andrew Fisher answered this is outside of the scope of the development agreement.

Councillor Furlong asked if there is a requirement for sidewalks from West Victoria Street into the proposed development. Andrew Fisher answered that staff did not stipulate a requirement for a walkway. Councillor Furlong asked is there a stipulation in the Municipal Planning Strategy or Land Use Bylaw requiring a sidewalk. Andrew Fisher answered no.

Councillor Furlong asked why previous development could not be done on this property in the past, in particular West Highlands Elementary School. Andrew Fisher answered that he could not speak to that.

The applicant, Tom Mattinson of Six Point Star Homes, was present but declined the opportunity to speak.

3.5 Public Comments

Dave Burke of 108 Victoria West Street stated he has lived at his property for over 25 years and likes to enjoy nature. Mr. Burke feels this development application would not be happening if this was proposed on East Victoria Street. He added that this application as proposed will be built right next to a construction company.

Joan Fowler of 116 Victoria West Street, read aloud her written submission, expressing her concern for the future of Amherst.

Jane Brine of 114 Victoria West Street, says that the land that is planning to be developed has been contaminated by the asphalt plant. She stated that many people that live in that area now have various forms of cancer, which she could not contribute directly to the asphalt plant. She does not want foot traffic of the residents walking through her property, is worried about privacy and garbage being left on her property, and is also concerned about snow clearing and drainage from snow piles as they melt. She added that she did provide a written submission.

John Hawker of 110 Victoria West Street spoke to the already over 600 apartment units proposed and approved to be built around town. He is worried that Amherst cannot handle much more population growth. He would like to know why this property is being developed now and is concerned about who will be living in the rental units. Mr. Hawker added he provided written submissions.

Lisa Dobson of Anson Avenue stated her daughter Katie Dobson lives adjacent to the proposed development, and asked why this location was rejected when a location for the new West Highlands Elementary School was being considered. The Mayor replied that staff could look into it. She also wanted to know why four units were allowed on this property and now they want to build two apartment buildings. Mayor Small explained that any property owner can build up to four units on their property as of right, anything beyond that currently requires a development agreement. She further asked why they are not using another entry further up West Victoria Street to access the proposed development, she feels the proposed entryway is too close to where her grandchildren play and she is worried about the traffic from the proposed driveway as it is too close to her daughter's house. She added her daughter provided a written submission.

4. Adjournment

There being no further business, Mayor Small adjourned the Public Hearing.

Natalie LeBlanc
Municipal Clerk

Robert Small
Mayor

SYNOPSIS

COMMUNITY SUPPORT GRANT WESTCUMB AMATEUR RADIO

The role of the Westcumb Amateur Radio Club is to promote amateur radio in Cumberland County as well as support Regional Emergency Management Operations (REMO) with communications in the event of a disaster. The REMO catchment covers a vast area and thereby presents many logistical and communication issues. The Club has made a request to both the Town of Amherst and the Municipality of the County of Cumberland to help financially support the purchase of a mobile radio mobile communications trailer that is self contained and can be deployed where needed providing valuable communication links as required in remote areas during an emergency. The estimate for the trailer is \$41,000.00.

The Municipality of the County of Cumberland has agreed to fund their portion of the cost.

MOTION:

That Council approve funding in the amount of \$15,000 for the Westcumb Amateur Radio Club under the Community Support Grants Policy and further fund this out of the Community Support Area Rate Reserve in the Operating Reserve.



AMHERST TOWN COUNCIL

RFD# 2025074

Date: May 26, 2025

TO: Mayor Small and Members of Amherst Town Council

SUBMITTED BY: Sharon Bristol, Director, Community Living

DATE: May 26, 2025

SUBJECT: Community Support Grant Westcumb Amateur Radio Club (WARC)

ORIGIN: 2025-26 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 \$15,000 for the Westcumb Amateur Radio Club under the Community Support Grants Policy and further fund this out of the Community Support Area Rate Reserve in the Operating Reserve.

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 in the policy.

DISCUSSION: The role of the Westcumb Amateur Radio Club is to promote amateur radio in Cumberland County as well as support Regional Emergency Management Operations (REMO) with communications in the event of a disaster. The REMO catchment covers a vast area and thereby presents many logistical and communication issues. A presentation was recently done to the Municipality of Cumberland County to request funding for a mobile communications trailer that is self contained and can be deployed where needed providing valuable communication links as required in remote areas. The estimate for the trailer is \$41,000.00.

FINANCIAL IMPLICATIONS: Funding for this Community Support Grant is possible through reserves.

COMMUNITY ENGAGEMENT: None

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

SOCIAL JUSTICE IMPLICATIONS: Improved communication in widescale disasters.



ALTERNATIVES:

1. Do not approve the funding request as listed
2. Approve funding in a different amount

ATTACHMENTS:

- Community Support Grants Policy, 72000-08
- Westcumb Amateur Radio Club application

SYNOPSIS

COMMUNITY SUPPORT GRANTS

The Town has received three community support grant applications since the operating budget was approved.

The Bridge Adult Service Centre is requesting \$1,600 for transportation costs to attend a tournament in Summerside. They are also resubmitting a grant application from 2024/25 that was deferred due to a pending application to the Accessibility NS which has recently been denied to build a walking track around their facility.

The other grant application is for the Spring Street Academy Home and School Spring Fling for \$2,000 which will assist with renting bounce castles for the children in attendance.

MOTION 1:

That Council approve funding in the amount of \$1,600 to the Bridge Adult Service Centre under the Community Support Grants Policy to be funded from the Social Equity Fund.

MOTION 2:

That Council approve funding in the amount of \$14,720 to the Bridge Adult Service Centre under the Community Support Grants Policy to be funded from the Operating Reserve Social Equity Fund.

MOTION 3:

That Council approve funding in the amount of \$2,000 to Spring Street Academy Home and School Association under the Community Support Grants Policy to be funded from Community Support Grants.



AMHERST TOWN COUNCIL

RFD# 2025075

Date: May 26, 2025

TO: Mayor Small and Members of Amherst Town Council

SUBMITTED BY: Sharon Bristol, Director Community Living

DATE: May 26, 2025

SUBJECT: Community Support Grants 2025

ORIGIN: 2025-26 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 \$18,320 under the Community Support Grants Policy to be funded as follows:

Bridge Adult Service Centre \$1,600 Social Equity Fund

Bridge Adult Service Centre \$14,720 Operating Reserve Social Equity Fund

Spring Street Academy Home and School Association \$2,000 Community Support Grants

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 in the policy. In doing so, the Town encourages and promotes the success of these organizations. It should be noted that all groups fill a significant role in the community; however, to ensure the intentions of the policy are adhered to, not all can be funded.

DISCUSSION: The Bridge Adult Service Centre is requesting \$1600 for transportation costs to attend a tournament in Summerside. They are also resubmitting a grant application from 2024/25 that was deferred due to a pending application to the Accessibility NS which has recently been denied. The other grant application is for the Spring Street Academy Home and School Spring Fling for \$2,000 which will assist with renting bounce castles for the children in attendance.

FINANCIAL IMPLICATIONS: Currently there is \$9,754 in the Community Support Grant Fund and \$3,000 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 so 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. Approve the request in different amounts

ATTACHMENTS:

- Community Support Grants Policy, 72000-08
- Applications

SYNOPSIS

BY-LAW TO AMEND THE BUILDING BY-LAW FIRST READING

On April 1st, 2025, Nova Scotia adopted the latest edition of the National Building Code of Canada and new Building Code Regulations. Due to changes in the new regulations, the Town of Amherst's current Building Bylaw is no longer aligned with the updated codes.

The proposed amendments, mostly housekeeping in nature, update definitions to align with the National Building Code and corresponding regulations.

MOTION:

That Council give first reading of the By-law to Amend the Building Bylaw.

TO: Mayor Small and Members of Council

SUBMITTED BY: Andrew Fisher, Director, Planning & Economic Development

DATE: May 26, 2025

SUBJECT: Building Bylaw Amendments

ORIGIN: Adoption of new Nova Scotia Building Code Regulations necessitates updates to the town's Building Code Bylaw.

LEGISLATIVE AUTHORITY: NS Building Code Act

RECOMMENDATION: That Council give first reading of the By-law to Amend the Building Bylaw.

BACKGROUND: The National Building Code (NBC) is the model building code of Canada and forms the basis for all provincial building codes. Nova Scotia adopts the NBC under the Nova Scotia Building Code Act and corresponding Building Code Regulations. The Town of Amherst Building Bylaw formally adopts the Nova Scotia Building Code Act and Regulations and provides building officials authority to administer and enforce the codes.

As of April 1, 2025, Nova Scotia adopted the new Building Code Regulations (BCR) and the 2020 edition of the National Building Code of Canada (NBC). Due to changes in the new regulations, the Town of Amherst's current Building Bylaw D-6 is no longer aligned with the updated codes.

The amendments, mostly housekeeping in nature, update definitions to align with the NBC and BCR wording.

Since being presented at the May 20th COW, the draft Bylaw had spelling errors corrected. Also, upon further review staff have changed section 4.1 (a) such that it includes subsections 5 through 11 rather than deletes them. Staff felt that although these inspection requirements are redundant with the Code, they are worth keeping in the Bylaw for reference by the public.

DISCUSSION: The proposed amendments to the Town's Building Bylaw are intended to align with the new BCR and NBC requirements.

FINANCIAL IMPLICATIONS: None specific to this issue.





AMHERST TOWN COUNCIL

RFD# 2025071

Date: May 26, 2025

SOCIAL JUSTICE IMPLICATIONS: None specific to this issue.

ENVIRONMENTAL IMPLICATIONS: None specific to this issue.

COMMUNITY ENGAGEMENT: None specific to this issue.

ALTERNATIVES: Do not give first reading and defer a decision to request additional information or changes to the Bylaw.

ATTACHMENTS: By-law to Amend the Building By-law; Draft Town of Amherst Building Bylaw with proposed amendments.



TITLE: Building By-law
SECTION: Operational Services
BYLAW NO: D-6

APPROVAL DATE: _____

CAO Signature: _____

This By-Law shall be known as By-Law Number D-6, and may be cited as the “Building By-Law”. The Town’s Authority to enact this By-Law comes from the Building Code Act, R.S., c. 46, s. 1.

PART 1 – DEFINITIONS

- 1.1 a) “authority having jurisdiction” means the Town Council of the Town of Amherst and its officials, acting pursuant to Section 5 of the Building Code Act.
- b) “Building Official” means a qualified individual as designated by the Nova Scotia Building Code Training and Certification Board (NSBCTCB).
- c) “Code” means Nova Scotia Building Code Regulations or ~~NSBCR~~ **National Building Code of Canada.**
- d) “construct” means **to do anything in the** erection, installation, extension, relocation, material alteration or material repair of a building and includes the installation of a factory-made building fabricated or moved from elsewhere.
- e) “demolition” means **the doing of anything in** the removal of a building or any material part thereof.
- f) “material alteration” and “material repair” means the alteration or repair of a building which work is covered by the Building Code.
- g) “owner” **means any person, firm or corporation controlling the property under consideration.** ~~includes a person controlling the property under consideration, and also includes prima facie the assessed owner of the property whose name appears on the assessment roll prepared in accordance with the Assessment Act.~~
- h) “location certificate” means a surveyed drawing containing the geographic location of the footings in relation to the property lines. Dimensions will be shown from the footing to the property lines.
- i) “occupancy permit” means an acceptable final inspection has been performed and occupancy has been granted, as per the scope of work as listed in the “Use Description” area of the building permit.

- 1.2 **The definitions in Section 1.4.1.2(1) of Division A of the National Building Code and the Nova Scotia Building Code Regulation apply to this bylaw, unless otherwise defined.**

TITLE: Building By-law
SECTION: Operational Services
BYLAW NO: D-6

PART 2 – PERMITS

2.1 Application

- a) This by-law applies to the administration and enforcement of the Building Code Act in the design, construction, erection, placement and occupancy of new buildings, and the alteration, reconstruction, demolition, removal relocation, occupancy and change of occupancy classification of existing buildings and to the work necessary to correct unsafe conditions in existing buildings reported to the authority having jurisdiction of observed during an inspection.
 - b) Any construction or condition that lawfully existed prior to the effective date of this bylaw need not conform to this by-law provided that such construction or condition does not constitute an unsafe condition in the opinion of the authority having jurisdiction.
 - c) Where a building or any part thereof is altered, this by-law applies to the parts of the building that are altered.
- 2.2 A footing permit, building permit, occupancy permit and demolition permit shall be in the form as provided by the Building Official.
- 2.3 Before a permit is issued, an applicant must complete an application form, to be provided by the Building Official.
- 2.4 Every application for a permit shall:
- a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made;
 - b) describe the land on which the work is to be done by a description that will readily identify and locate the proposed building;
 - c) include plans and specifications as required by the Building Code and show the occupancy of all parts of the building;
 - d) state the valuation and cumulative area of the proposed work and be accompanied by the required fee;
 - e) state the names, addresses and telephone numbers of the owner, architect, professional engineer, other designer and constructor; and
 - f) the Building Official may require proof that the plumber is a qualified licensed journeyman (either Red Seal or Province of Nova Scotia).
- 2.5 When an application for a permit has not been completed in conformance with the requirements of the Bylaw within six months after it is filed, the application shall be deemed to have been abandoned.
- 2.6 A building permit is valid for 12 months from the date of issuance and is renewable.

TITLE: Building By-law
SECTION: Operational Services
BYLAW NO: D-6

- 2.7 A building permit may be renewed within 30 days of expiration subject to the conditions set forth in Sub-Section 2.8 that an inspection discloses that the project may safely be continued.
- 2.8 A building permit that is renewed pursuant to Section 2.7 is provisional and subject to the following conditions:
- a) Work on the subject property must begin within thirty (30) days from the time the permit is renewed and shall reasonable and seriously continue until completion;
 - b) A building permit may only be renewed once and the duration of the extension shall be based on the estimated completion date of the project;
 - c) Any revised plans deemed necessary by the Building Official or required as a result of any change in the scope of the work are to be submitted to and approved by the Building Official prior to commencement of any work; and
 - d) A fee for renewal is to be paid in accordance with the Town of Amherst User Fee Policy 3470-03, and as amended from time to time.
- 2.9 If any of the conditions set forth in Section 2.8 are not met or having been met are subsequently violated, the renewed building permit may be suspended or cancelled by the Building Official.
- 2.10 The Code applies, but a building permit is not required for:
- a) Accessory buildings not greater than 20 square meters (215.2 square feet) in area;
 - b) Interior and exterior non-structural material alterations and material repairs with a monetary value of five thousand dollars or less;
 - c) Replacement or installation of a new plumbing fixture that does not increase the hydraulic load of the drainage system or require alterations to an existing water distribution system or drainage system;
 - d) Siding replacement provided that there are no structural changes or repairs required regardless of cost;
 - e) Roof covering replacement provided that there are not structural changes or repairs required regardless of cost;
 - f) Window and door replacement provided that there are no structural changes or repairs required regardless of cost.
- 2.11 An occupancy permit is required for all building permits as per the requirements of the Code. In addition, an occupancy permit shall require that the exterior of the building be completely finished.
- 2.12 Before issuing a demolition permit, the Building Official shall be satisfied that:
- a) the building is not subject to the provisions of a by-law passed pursuant to the Heritage Property Act;

TITLE: Building By-law
SECTION: Operational Services
BYLAW NO: D-6

- b) the remaining structural integrity of a building will not be jeopardized if only a portion of a building is being demolished;
 - c) that a “Notice of Approval” has been filled out by the applicant and signed by the authority having jurisdiction for the Amherst Fire Department. See Appendix “A”; and
 - d) See Section 4.3 for inspection requirements.
- 2.13 A permit is required for a temporary structure, tent or air supported structure if:
- a) the area exceeds 30m² or more;
 - b) it will be occupied for more than three days;
 - c) the permit shall be posted on the structure and shall state the conditions and the date for which the permit is no longer valid;
 - d) the permit may be extended in writing by the Building Official
 - e) see Section 4.4-3 for inspection requirements.
- 2.14 A permit “at owners risk”:
- a) may be issued at the risk of the owner, with conditions to ensure compliance with the Code, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted, and
 - b) shall be clearly marked “at owner’s risk”.
- 2.15 Other Information Required:
- a) A permit for a whole project may be issued conditional upon the submission of additional information prior to commencing the work for which the information is pertinent, provided that the information is of such a nature that withholding the permit until the information was available would delay the work unreasonably.
 - b) The condition shall be set out on the face of the permit.

PART 3 – PERMIT FEES

- 3.1 Fees for permits shall be as prescribed in the Town of Amherst User Fee Policy, Policy 3470-03, and as amended from time to time.

PART 4 – INSPECTIONS

- 4.1 The owner/agent of/for a building being constructed under the scope of Part 9 of the Code shall notify the Building Official to inspect for compliance with the Code at the following stages of construction as noted on the building permit by the Building Official:
- a) For most conventional styles of construction:

TITLE: Building By-law
SECTION: Operational Services
BYLAW NO: D-6

1. Footings in place;
 2. ICF foundations to be inspected prior to placing any concrete in the forms;
 3. Foundation insulation is placed on exterior of foundation;
 4. Water/sewer/storm line connections between footing and property line prior to covering;
 5. Foundation before backfilling;
 6. All under slab water/sewer connections;
 7. Basement floor slab insulation (if required);
 8. Prior to placing concrete over a hydronic heating system;
 9. Framing inspection once all rough in work is complete including plumbing, electrical, ventilation and heating;
 10. Insulation/vapor barrier inspection prior to covering
 11. Final inspection prior to allowing occupancy.
- b) For mini homes (manufactured housing) site preparation, foundation installation and anchorage are to be in accordance with GSA Z240 MH and the inspection requirements are as follows:
1. Pad preparation (if required)
 2. Anchorage inspection
 3. Water/sewer connection inspection, and
 4. Final inspection prior to occupancy.
- c) For modular homes certified to CAN/CSA-A277-08 "Procedure for Factory Certification of Buildings" as complying with the technical requirements of this Code, the inspection requirements are for all site built components only and they include all relevant inspections as per Sub-Section 4.1.4.
- 4.2 The owner of a building being constructed outside the scope of Part 9 of the Code shall notify the authority having jurisdiction to inspect for compliance with the code:
- a) of the intent to undertake construction that will be inspected and will be reviewed as required by Article 2.1.1.5., 2.1.1.6., or 2.1.1.7., of the Provincial Building Code Regulations;
 - b) of intent to cover construction that has been ordered to be inspected by the authority having jurisdiction before covering;
 - c) at intervals deemed necessary by the authority having jurisdiction based on the complexity of the building; and
 - d) when construction has been completed so that a final inspection can be made.
- 4.3 Inspection requirements for a demolition permit are as follows:
- a) A final inspection to ensure that no debris has been left behind and that there are no unsafe conditions or damage caused as a result of the demolition.

TITLE: Building By-law
SECTION: Operational Services
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- 4.4 Inspection requirements for a temporary structure, tent or air supported structure are as follows:
- a) Prior to any use or occupancy;
 - b) Final inspection once structure has been removed from site.
- 4.5 Location Certificates are required for all new main building construction. They are required once footings or pads have been put in place and prior to the footing inspection being performed. The Building Official will provide the permit holder instructions to continue the work once the required setbacks have been approved.
- a) The following will be excluded from the requirement of a location certificate:
 - 1. temporary buildings, and
 - 2. buildings not having a permanent foundation.
- 4.6 The Building Official shall be given a minimum of 24 hours notice to inspect the various stages of construction. Each stage of construction is to be complete in full prior to inspection, or no inspection will occur.
- 4.7 It is the responsibility of the permit owner (or their agent) to ensure that all required inspections are scheduled and that work does not proceed until such time as the Building Official gives written permission to proceed.

PART 5 – HOURS OF OPERATION

- 5.1 No person shall engage in construction or the operation of any construction equipment in connection with construction between the hours of 10:00 p.m. and 6:00 a.m. except where such construction or operation of equipment is on any highway, Town-owned street, sidewalk, or water or sewer utility.
- 5.2 Any person may make application to the Building Official to be granted an exemption from Part 5.1 of this Bylaw. Any exemption so granted shall:
- (a) specify a time period of not greater than three days during which the exemption shall be effective, and
 - (b) shall include such terms and conditions as the Building Official deems appropriate, which may include a requirement that the applicant provide advance notice to abutting land owners or tenants of the hours of the construction or operation of construction equipment to occur in accordance with the exemption.
- 5.3 In deciding whether or not to grant an exemption under Part 5.2 or in determining terms or conditions of the exemption, the Building Official shall give consideration to:

TITLE: Building By-law
SECTION: Operational Services
BYLAW NO: D-6

- (a) the volume, nature, duration and consistency of noise emission from the construction or operation of construction equipment;
- (b) the proximity and nature of abutting or adjacent land uses;
- (c) the proposed hours of operation;
- (d) the nature and degree of any inconvenience to adjacent or abutting land owners;
- (e) the reason for the requested exemption, and the effect on the applicant if the exemption is not granted; and
- (f) any other factor relevant to balancing the interests of the applicant in the proposed activity against the interests of those persons who might be disturbed by the proposed activity.

5.4 Any contravention of the terms or conditions of an exemption pursuant to Part 5.2 shall constitute a contravention of this Bylaw. In addition to any other available remedies for such contravention, the Building Official may suspend or cancel an exemption.

PART 6 - PENALTIES

6.1 Every person who contravenes any provision of this By-law, the Building Code Act or the Nova Scotia Building Code Regulations is guilty of an offence and on summary conviction is liable to a fine of not less than five hundred dollars (\$500.00) and not exceeding twenty-five thousand dollars (\$25,000) or to imprisonment for a term of not more than one year or both as per the provision set forth in Section 19 of the Building Code Act.

PART 6 – REPEAL

~~6.1 The Town of Amherst Building By Law D-6 as amended by Council on 24 August 1998 and filed with the Minister of Housing and Municipal Affairs on 1 October 1998 is hereby repealed.~~

EFFECTIVE DATE

This Bylaw shall come into effect from and after the date of publication.

TITLE: Building By-law
SECTION: Operational Services
BYLAW NO: D-6

For Administrative Use Only:

Building Bylaw D-6 Adoption	
First reading:	
Notice of Intent:	
Second Reading:	
Notice of Publication and Effective Date of Bylaw:	
Notice to Service Nova Scotia & Municipal Relations:	

VERSION LOG

Bylaw Owner	Amendment Description	Council Approval Date
Director of Planning & Economic Development, Fisher	Mostly housekeeping in nature, update definitions to align with the NBC and BCR wording.	

Minutes reference date: May 24, 2011 May 5, 2008

BY-LAW TO AMEND

THE TOWN OF AMHERST BUILDING BYLAW D-6

The Town of Amherst Building Bylaw, D-6, approved by Council on May 24, 2011 is hereby amended as follows:

1. Part 1 – Definitions under section c) replace NSBCR with National Building Code of Canada
2. Part 1 – Definitions under section d) add the words “to do anything in the”
3. Part 1 – Definitions under section g) update the entire definition of “owner” to read “means any person, firm or corporation controlling the property under consideration.”
4. Add section 1.2 to Definitions to read “The definitions in Section 1.4.1.2(1) of Division A of the Nation Building Code and the Nova Scotia Building Code Regulation apply to this bylaw, unless otherwise defined.”
5. Part 2 – Permits add a new section 2.1 Application to read:
 - a) This by-law applies to the administration and enforcement of the Building Code Act in the design, construction, erection, placement and occupancy of new buildings, and the alteration, reconstruction, demolition, removal relocation, occupancy and change of occupancy classification of existing buildings and to the work necessary to correct unsafe conditions in existing buildings reported to the authority having jurisdiction of observed during an inspection.
 - b) Any construction or condition that lawfully existed prior to the effective date of this bylaw need not conform to this by-law provided that such construction or condition does not constitute an unsafe condition in the opinion of the authority having jurisdiction.
 - c) Where a building or any part thereof is altered, this by-law applies to the parts of the building that are altered.
6. Part 4 – Inspections replace section a) with
 1. Footings in place;
 2. ICF foundations to be inspected prior to placing any concrete in the forms;
 3. Foundation insulation is placed on exterior of foundation;
 4. Water/sewer/storm line connections between footing and property line prior to covering;
 5. Foundation before backfilling;
 6. All under slab water/sewer connections;
 7. Basement floor slab insulation (if required);
 8. Prior to placing concrete over a hydronic heating system;
 9. Framing inspection once all rough in work is complete including plumbing, electrical, ventilation and heating;
 10. Insulation/vapor barrier inspection prior to covering
 11. Final inspection prior to allowing occupancy.

SYNOPSIS

BY-LAW TO REPEAL THE VACANT BUILDING BY-LAW FIRST READING

The Town of Amherst Vacant Building By-law, adopted in 2011, sets out requirements and standards for vacant buildings. The Bylaw includes maintenance standards and provisions for boarding up vacant buildings that are already provided for by the Dangerous or Unsightly Premises provisions of the Municipal Government Act. As such, the Vacant Building Bylaw does not serve a useful purpose at this time.

MOTION:

That Council give first reading of the By-law to Repeal the Town of Amherst Vacant Building By-law.

TO: Mayor Small and Members of Council

SUBMITTED BY: Andrew Fisher, Director, Planning & Economic Development

DATE: May 26, 2025

SUBJECT: Vacant Building Bylaw P-5

ORIGIN: Scheduled review of Council Bylaws and Policies.

LEGISLATIVE AUTHORITY: MGA sections 171(1) *A council may make by-laws, for municipal purposes respecting:*

(ja) the condition or maintenance of vacant buildings, structures and properties and, without restricting the generality of the foregoing, may

(i) adopt property maintenance and performance standards,

(ii) prescribe the manner in which buildings or structures must be secured by owners or the municipality, and

(iii) limit the length of time that buildings or structures may remain boarded up;

(jb) the maintenance and sightliness of property including grounds, lawns, buildings and structures;

RECOMMENDATION: That Council give first reading of the Bylaw to Repeal the Town of Amherst Vacant Building Bylaw.

BACKGROUND: The subject Bylaw, adopted in 2011, sets out requirements and standards for vacant buildings. In particular, it requires that vacant buildings be kept weather tight and secure from unauthorized entry. These requirements are already covered and enforced under the Dangerous or Unsightly Premises sections of the Municipal Government Act. The subject Bylaw also requires property owners of vacant buildings to obtain a Boarding Up Permit that is valid for 14 days and can be renewed upon approved by the Director of Planning.

Under section 10 Penalty of the Bylaw, the Town can apply to a court to fine the property owner and/or request an order to remove or demolish the building.

DISCUSSION: The subject Bylaw does not serve a useful purpose. As noted above, the Dangerous or Unsightly provisions of the MGA covers maintenance of the building. Regarding the Boarding Up Permit, it seems the intent is to limit the time a building is boarded up, but the consequences of exceeding the time limit set out in the Bylaw are problematic.





AMHERST TOWN COUNCIL

RFD# 2025073

Date: May 26, 2025

Ordering removal of the boarded-up openings and replace any broken windows or doors does not achieve anything of significance. Seeking fines issued by the courts is expensive and time consuming, and might appear heavy handed by the public. The Town would be better served by focusing on conditions that make it attractive to invest in the Town's building stock rather than leave them vacant.

It has been suggested that a higher tax rate or area rate could be applied to vacant buildings to financially penalize vacant building owners, and that doing so could push them to sell the property to another party with the wherewithal to invest in the property. The MGA does not appear to give municipalities authority to assign different tax rates beyond commercial, residential and agriculture (resource) property. The Service Area Rate provision in the MGA relates to a service being provided. As such, the tax service area rate options are not practicable.

For the reasons discussed above, staff feel this Bylaw should be repealed.

FINANCIAL IMPLICATIONS: Enforcement of the Bylaw would incur significant legal costs.

SOCIAL JUSTICE IMPLICATIONS: Strict enforcement of the Bylaw could be considered as a heavy-handed way to deal with vacant buildings.

ENVIRONMENTAL IMPLICATIONS: None specific to this issue.

COMMUNITY ENGAGEMENT: Public notice of Council's intention to repeal the Bylaw.

ALTERNATIVES: 1) Maintain status Quo; 2) defer a decision and direct staff to make changes or provide additional information.

ATTACHMENTS: Vacant Building Bylaw P-5; Bylaw to Repeal



NOTICE OF PUBLICATION

Vacant Building By-law

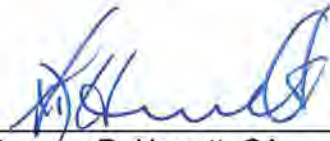
NOTICE IS HEREBY GIVEN that Amherst Town Council, at a meeting held on May 24, 2011, adopted a new Vacant Building By-law, P-5.

The new by-law requires vacant buildings to be maintained so as not to be unsightly. It requires all vacant buildings to be secure from entry, and all windows and doors to be maintained in good working order. A permit is required to board a building up, and is only valid for 14 days, and sightlines into vacant buildings from the street are to be blocked by decorated panels.

Copies of the new by-law may be inspected at the office of the Town Clerk, Confederation Memorial Building, Ratchford Street, during regular business hours. The by-law can also be viewed on the Town's web page at www.amherst.ca

THIS IS TO CERTIFY that the foregoing is a Notice of Publication regarding the adoption of the above Town of Amherst Vacant Building By-Law as published in the local newspaper on June 9, 2011.

GIVEN under the hand of the Town Clerk and under the seal of the Town of Amherst this 9th day of June 2011.



Gregory D. Herrett, CA
Town Clerk and Chief Administrative Officer

TOWN OF AMHERST
Vacant Building By-law
P-5

Pursuant to Section 171 and 172 of the Municipal Government Act, BE IT ENACTED
by the Council of the Town of Amherst as follows:

1. (1) This By-law shall be known as the Vacant Building By-law. It shall apply to all vacant buildings within the Town of Amherst.
- (2) Where a provision of this By-law conflicts with the provision of another By-law in force within the Town, the provision that establishes the higher standards to protect the health, safety, and welfare of the general public shall prevail.

DEFINITIONS

2. (1) Unless otherwise defined herein, definitions contained in the *Nova Scotia Building Code Act, Nova Scotia Building Code Regulations, The Municipal Government Act, The Town of Amherst Land Use Bylaw, Town of Amherst Minimum Standards for Residential Occupancies Bylaw* and the *National Building Code* also apply to this By-law.
- (2) In this By-law
 - (a) "Administrator" means the person appointed by the Town to be the Dangerous or Unsightly Premises Administrator or their designate.
 - (b) "Building", for the purposes of this by-law, means any structure having a roof supported by columns or walls and used, or intended to be used to support or shelter any use or occupancy.
 - (c) "Boarding Permit", means a Boarding Up permit provided for in this Bylaw.
 - (d) "Council", means the Council for the Town of Amherst.
 - (e) "Inspector", means the person appointed by the Town to be the Building Inspector or their designate.
 - (f) "Town", means the Town of Amherst.
 - (g) "Order to Comply", means a notice to the owner of a building to correct any violations of this bylaw.
 - (h) "Owner", includes any one or combination of the following as defined in the *Municipal Government Act*:

- (i) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or building,
 - (ii) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building, in the absence of proof to the contrary, the person assessed for the property.
- (i) "Provincial Building Code", means the National Building Code as adopted pursuant to the Nova Scotia Building Code Regulations including amendments as may be made from time to time.
 - (j) "Vacant", in relation to a building means a building that is not being used or occupied for a period exceeding 28 days.

For the purposes of this Bylaw, a building is not being used or occupied solely by reason of:

- (i) Individuals who are present in the building without the consent of the owner; or
- (ii) The existence of equipment or stock in trade within a building or the occasional operation of such equipment, excluding a warehousing operation for which a development permit has been issued.

GENERAL DUTIES AND OBLIGATIONS

- 3. (1) The owner of a vacant building must ensure that the building is secure from unauthorized entry at all times.
- (2) The owner of a vacant building must ensure that the building is maintained so as not to be dangerous or unsightly, as defined in the *Municipal Government Act*.

FOUNDATIONS AND EXTERIOR WALLS / YARDS OF VACANT BUILDINGS

- 4. (1) The components of every exterior wall of a vacant building shall be maintained, weather tight, free from loose or unsecured objects and materials, prevent the entrance of insects and animals and prevent deterioration due to weather, insects, birds or animals.
- (2) All foundation supports forming part of a vacant building shall be maintained in good repair so as to prevent settlement of the building.
- (3) Vacant buildings shall be kept free of rodents and vermin at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the *Pest Control Products (Nova Scotia) Act*.
- (4) All yards shall be kept clean and free of all debris, tall grass and weeds.

BOARDED UP VACANT BUILDING PERMIT REQUIRED

5. (1) The owner of a vacant building must obtain a Boarding Up permit prior to boarding up of the building.
- (2) For clarification purposes, please note that there is no requirement to board up a vacant building provided all other relevant provisions of this bylaw are satisfied.
- (3) Permit Requirements:
 - (a) A Boarding Up permit shall be valid for a maximum of fourteen days.
 - (b) A second Boarding Up permit may be issued by the Administrator within a calendar year provided a request is received in writing from the owner.
 - (c) The third or any subsequent Boarding Up permits within a single calendar year require the approval of the Director of Planning and Development.
- (4) Notwithstanding Section 4 (1) of this Bylaw, a building may be boarded up at the discretion of the Town of Amherst Fire Chief or his designate without first obtaining a permit. Upon notification of the Fire Chief that the said building is no longer required to be boarded up for the purposes of the Town of Amherst Fire Department and if the building is to remain boarded up, a permit will be required.

VACANT BUILDING CONDITION

6. (1) Windows, exterior doors, skylights, and basement or cellar hatchways shall be maintained in good repair and be weather tight.
- (2) The interior side of any windows shall not be directly covered with paper, cloth, plastic or other such material unless written permission is granted by the Administrator.
- (3) The sightline into a vacant building through any street facing ground floor window shall be blocked by a decorated panel not more than 2 meters from the interior side of the window. The design of such panel shall be approved by the Administrator.
- (4) Exterior stairs, porches, balconies and landings shall be maintained in good repair so as to be free of holes, cracks, and other defects which may constitute accident hazards.

INSPECTIONS

7. (1) The Administrator may, for the purpose of ensuring compliance with this Part, enter in or upon any land or premises at any reasonable time without a warrant.

- (2) Except in an emergency, the Administrator shall not enter any room or place actually being used as a dwelling without the consent of the occupier unless the entry is made in daylight hours and written notice of the time of entry has been given to the occupier at least twenty four hours in advance.
- (3) If a person refuses to allow the Administrator to exercise, or attempts to interfere or interferes with the administrator in the exercise of a power pursuant to this Act, the administrator may apply to a judge of the Supreme Court of Nova Scotia for an order to allow the administrator entry to the building and an order restraining a person from further interference. *1998, c.18, s. 352.*

ORDERS BY THE ADMINISTRATOR

8. If after an inspection, the Administrator is satisfied that in some respect, the building does not conform to the standards prescribed in this By-law the Administrator shall serve or cause to be served by personal delivery or registered mail to the owner(s) of the property, an Order to Comply.

(1) Every Order to Comply shall contain:


- (a) the standards with which the building does not comply;
 - (b) actions to be taken in order to bring the building into compliance with the standards;
 - (c) the date after which the building will be subject to a re-inspection to ascertain compliance with the Order;
 - (d) the action that will be taken against the owner, should the building not comply to the prescribed standards at the time of the re-inspection; and
 - (e) Where an Order has been served upon an owner, and the owner provides the Inspector with a schedule outlining specific time frames within which the work specified in the Order will be completed, the Inspector may accept or amend the schedule at which time the schedule will become a part of the Order
- (2) Where an owner fails to comply with the requirements of an Order within the time frame stipulated therein, the Administrator, his designate or contractors may enter upon the property without warrant or other legal process and carry out the work, specified in the Order.
 - (3) Where the Town carries out the work specified in the Order, the Town may charge and collect the costs thereof either from the owner or as a first lien on the property affected.

TRANSITION PROVISIONS

9. Upon the adoption of this Bylaw, owners of vacant buildings which are currently boarded up will have 60 days to obtain the necessary permit.

PENALTY

10. (1) Every person who contravenes any provision of this By-law is guilty of an offence and shall be liable, upon summary conviction, to a penalty not less than One Hundred Dollars (\$100.00) and not exceeding Five Thousand Dollars (\$5,000.00) and in default of payment to imprisonment for a period not exceeding ninety (90) days.
- (2) In any prosecution or proceeding in respect to any contravention of, or failure to comply with any provision of this By-law, which contravention or failure of compliance continues from day to day, the Court or Judge before whom the matter of such contravention or failure of compliance is heard, may, in addition to the penalty imposed for such contravention or failure, impose a further penalty not exceeding one hundred dollars or in default of payment ten (10) days imprisonment, for each day during which such contravention or failure has been continued.
- (3) In addition to any other remedy open to law, the judge may:
- (a) make an Order restraining the continuance of repetition of any such contravention or failure;
 - (b) make an Order directing the removal or destruction of any building or structure or part thereof so contravening or failing to comply, or in respect of which any such contravention or failure has taken place, and that upon failure to comply with such Order, the Inspector may remove, repair or destroy such building or part thereof at the expense of the owner;
 - (c) make such other Order as is required to enforce the provisions of this By-law, and the recovery of the expense of any such removal, repair or destruction by the Inspector, as to the Court or Judge seems fit.

<u>Clerk's Annotation for Official By-Law Book</u>	
Date of First Reading:	<u>26 April 2011</u>
Date of Notice of Intent to Consider:	<u>10 May 2011</u>
Date of Second Reading:	<u>24 May 2011</u>
Date of Advertisement/Notice of Publication	<u>9 June 2011</u>
Date of mailing to Minister a certified copy: *	<u>9 June 2011</u>
I certify that this Building By-law was adopted by Council and published as indicated above.	
 _____ Chief Administrative Officer	<u>9 June 2011</u> _____ Date

*Effective Date of the By-Law unless otherwise specified in the text of the By-Law.

TOWN OF AMHERST
BYLAW TO REPEAL THE VACANT BUILDING BYLAW, P-5

1. This is a bylaw to repeal the Vacant Building Bylaw, P-6.
2. The Vacant Building Bylaw approved by Council on the May 24, 2011 is hereby repealed.

SYNOPSIS

Development Agreement

Second Reading

112 West Victoria Street

Six Point Star Homes, the owner of 112 West Victoria Street, has applied for a development agreement to permit the construction of two 16-unit and three 8-unit apartment buildings on the property.

A public participation opportunity was held on June 20th, 2024 where input was provided by the public. In July 2024 the Planning Advisory Committee reviewed the proposal and requested changes. The developer made those changes and on April 7th, 2025 the Committee recommended that Council enter into the agreement. Council gave First Reading at their regular meeting on April 28th and held a Public Hearing on May 14th where further input from the public was provided.

This development agreement contains terms and conditions intended to address the relevant policies of the Municipal Planning Strategy.

MOTION:

That Council give Second Reading of the development agreement for 112 West Victoria Street to permit the construction of two 16-unit and three 8-unit apartment buildings.



AMHERST TOWN COUNCIL

RFD# 2025076

Date: May 26, 2025

TO: Mayor Small and Members of Council

SUBMITTED BY: Andrew Fisher, Director, Planning & Economic Development

DATE: May 26, 2025

SUBJECT: Second Reading: 112 West Victoria Street Development Agreement

ORIGIN: An application by Six Point Star Homes for the construction of two 16-unit and three 8-unit apartment buildings (total of 56 units) on property located at 112 Victoria Street (PID 25000605).

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

RECOMMENDATION: That Council give second reading of the Development Agreement for 112 Victoria Street (PID 25000605) that would allow two 16-unit and three 8-unit apartment buildings (total of 56 units) apartment buildings as drafted.

BACKGROUND: Attached is the draft development agreement. An advertised Public Participation Opportunity was held on June 20th, 2024. Members of the public were in attendance to voice their concerns. On July 2, 2024, the PAC reviewed the application and requested additional information and changes to the layout of the budlings to increase the separation with existing residential properties that front on West Victoria Street. On April 7th, 2025, the PAC reviewed the revised proposal and recommended that Council approve the development agreement

Council is referred to the attached April 7th, 2025 staff report to the Planning Advisory Committee that contains details about the proposed development, input received through the Public Participation Opportunity, information provided by the applicant, and a review of the relevant MPS policies.

Council gave First Reading at their regular meeting on April 28th, 2025, and held a Public Hearing on May 14th where further input from the public was provided. The hearing minutes and the written submissions are part of the information package.

A number of questions were raised as part of the public hearing and by Council. The following attempts to address these questions:

Prior denials: It was suggested that the subject property was denied approvals or was otherwise could not be developed. The property was once owned by Roymac Homes, the company that developed Colin Court. It is likely that the subject property was considered for future expansion



of the leased land community by further extending Colin Court, but would have been challenged by the fact that the subject property is not zoned for mobile homes. In addition, the eastern end of the subject property is hindered by a watercourse and significant elevation changes. In 2011 a West Highlands School Site Selection Committee Report, prepared by David Dinaut, recommended the subject property (coupled with additional property to the south) as one of two options for a new school. Ultimately, neither of the committee's options were chosen. None of the factors noted above are relevant to the current development proposal for the subject property.

Setbacks to 114 West Victoria: At the public hearing staff estimated that the setback between the driveway and the dwelling to be approximately 4-5 feet. The approximate separation between the dwelling at 114 West Victoria and the driveway access is approximately 14 feet. It is also important to note that the close proximity of a building on one property should not hinder or constrain the ability to develop the adjacent property.

Traffic: the proposal includes one vehicle access onto West Victoria. As an arterial street there is significant excess capacity to accommodate any additional traffic from this development. Amherst Police have reviewed the proposal and do not have any vehicle traffic or policing concerns, but did suggest a sidewalk to provide pedestrian access to West Victoria. This requirement has been added to the development agreement requirements.

Emergency Access Compliance: Fire Services have reviewed the proposal and their only concern is ensuring sufficient turning radius for fire equipment. This is provided for in the agreement requirements.

Traffic & Environmental Studies: As noted above, staff are confident that a traffic impact study would simply show that there is sufficient capacity on West Victoria Street to accommodate the development. With regard to environmental studies, this is beyond the scope of the planning process. Any environmental contamination found on the property is the responsibility of the property owner and regulated by the province. There is no role for the town with regard to environmental conditions on the property.

Site Plan Enhancements: The development agreement combined with the Building Code, contains requirements around accessible parking standards and submission of a detailed landscaping plan that includes a vegetative buffer along the rear property line of properties that front on West Victoria Street. The site plan in the agreement includes an internal sidewalk around the central parking area, and requires a sidewalk to the street. There is also a footpath that connects to Colin Court.



AMHERST TOWN COUNCIL

RFD# 2025076

Date: May 26, 2025

DISCUSSION: As detailed in the attached staff report to the PAC, the proposal meets the general intent of MPS policies. As a result of the public hearing process, staff have added a requirement for a walkway to provide pedestrian access to the street, and added the requirement to conform to emergency vehicle access.

While this development may be controversial, it is important to note that Council's decision must be in keeping with relevant MPS policies.

FINANCIAL IMPLICATIONS: None specific to this issue.

SOCIAL JUSTICE IMPLICATIONS: The development agreement process provides opportunities for the public provide input and the development include affordable housing units.

ENVIRONMENTAL IMPLICATIONS: This is energy efficient, infill development located close to amenities.

COMMUNITY ENGAGEMENT: Public Participation Opportunity and a Public Hearing.

ALTERNATIVES: Do not approve first reading citing specific MPS policies that are not being met.

ATTACHMENTS: 1) Draft Development Agreement; 2) Staff report and presentation to PAC



This Agreement made this _____ Day of _____ 2025.

Between:

Six Point Start Homes (owner of property located at 112 Victoria Street West [PID 25000605], hereinafter called the "Owner"),

of the one part, and

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

of the other part.

WHEREAS the Owner wishes to obtain permission pursuant to Policy RP-9 of the Municipal Planning Strategy of the Town of Amherst, to construct two (2) 16-unit and three (3) 8-unit apartment dwellings on property located at 112 Victoria Street West (PID 25000605).

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 _____ 2025, approved the said Development Agreement, subject to the registered Owner of the land described herein entering into this Agreement;

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

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

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

- 1) That the Owner is the registered owner of the aforesaid Lands in the Town of Amherst, hereinafter called the "Lands". The aforesaid Lands 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 five (5) Apartment Buildings, two (2) 16-unit and three (3) 8-unit dwellings on the said Lands, subject to Schedules A, B, C, and D attached.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the

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

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

SIGNED AND DELIVERED

In the presence of

FOR THE OWNER

Tom Mattinson
Six Point Star Homes

THE TOWN OF AMHERST

Rob Small, Mayor

Jason MacDonald, MCIP, LPP, CAO

Schedule A

112 Victoria Street West, PID 25000605 - Development Agreement

Terms and Conditions:

1.0 USE OF LAND AND BUILDINGS

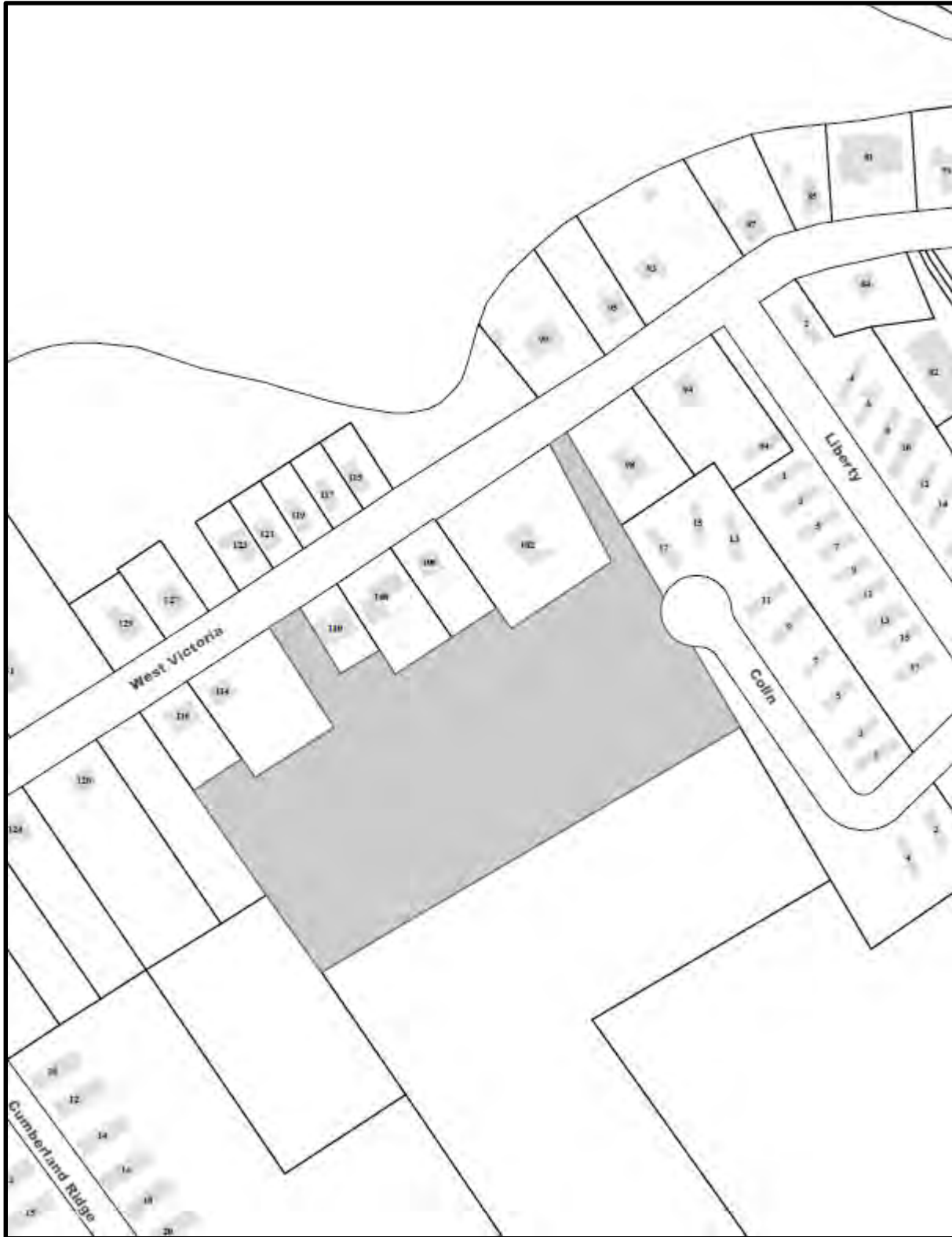
- 1.1 The use of the property shall be limited to five (5) Apartment Buildings consisting of two 16-unit and three 8-unit dwelling units, for a total of fifty-six (56) dwelling units on property shown on Schedule 'B'.
- 1.2 Each Apartment Dwelling shall consist of no more than 2 levels and shall generally conform to the designs shown on Schedule 'D'. Variations to the architectural details and footprint of the dwellings may be permitted, to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 1.3 The location of each Apartment Dwelling, driveway, and parking area shall be generally configured on the Lands as shown on Schedule 'C'. Variations to the location of the dwellings may be permitted, to the satisfaction of the Development Officer. Such changes shall not be considered substantial.
- 1.4 A minimum of 1.25 parking spaces shall be provided for each dwelling unit on the Lands and shall be generally configured as shown on Schedule 'C'. Variations to the number and configuration of parking and internal access shall be made to ensure compliance with fire vehicle access requirements of the National Building Code. Such variations shall not be considered substantial.
- 1.5 The Owner shall incorporate a walkway from Victoria Street West to the internal parking area of the development.
- 1.6 Prior to issuance of a Development Permit for any building, the Owner shall submit a detailed landscaping plan that shall include but not be limited to the following:
 - 1.6.1 Specify the type of treatment of all areas during all phases of the development. Areas of the Lands not part of initial phases must be kept as grass or otherwise treated so as to minimize dust.
 - 1.6.2 An opaque fence approximately 1.8 meters (6 feet) in height shall be placed along both sides of the driveway access, extending from the property line bordering West Victoria Street to the rear corner of the adjacent properties. This fence requirement may be altered or waived on one or both sides upon mutual written agreement with the nearest property owner.
 - 1.6.3 A visual buffer, at least 1.8 meters or 6 feet consisting of vegetation, an opaque privacy fence, or a combination of both, must be established along the property line as specified below. 114 West Victoria Street - PID 25000654, 110 West Victoria Street PID - 25387531, and 108 West Victoria Street PID 25382169
- 1.7 The Owner shall be responsible for maintaining screened solid waste containment area(s) at minimum ten (10) metres from the rear property line of adjacent properties fronting on West Victoria Street and shall generally follow the location as set out in Schedule 'C'.

- 1.1 Prior to the issuance of a Development Permit for any building, the Owner shall submit a detailed Stormwater Management Plan created by a professional engineer. Said plan shall be designed and implemented such that there will be no increase in stormwater flow onto adjacent properties and no increase of peak flow into over existing conditions. The Owner shall be responsible for storm water management during and after construction.

2. GENERAL REQUIREMENTS

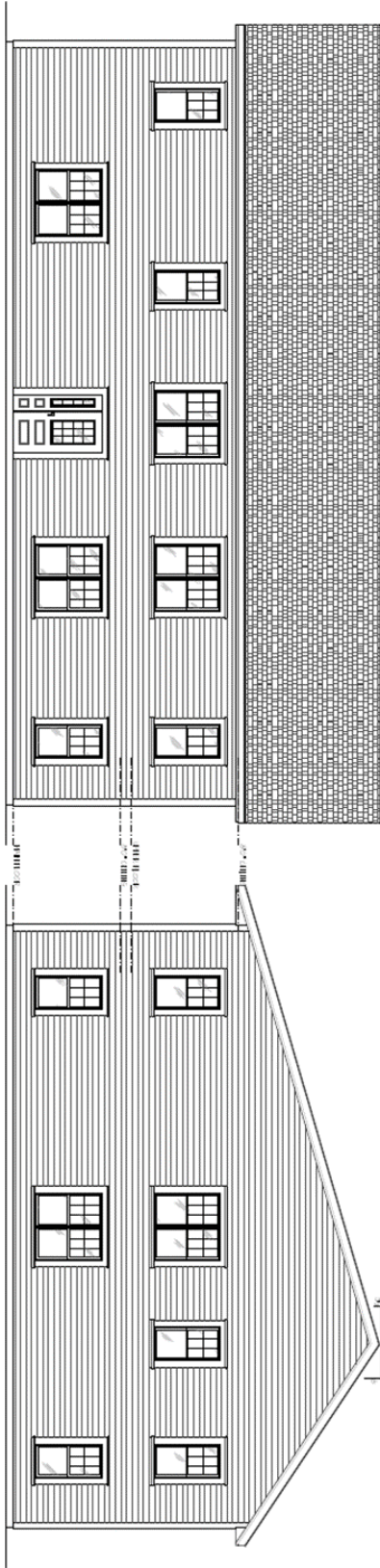
- 2.0 The Owner shall keep the Lands and buildings and any portion thereof clean and in good repair. All elements of the development on the Lands shall be regularly maintained and kept in a tidy state, and free from unkept materials of any kind.
- 2.1 In addition to *Part 5 – Hours of Construction* under the Town of Amherst Building Bylaw D-6, operation of heavy equipment and electrical generators shall not take place on the property from 8:00 P.M. to 7:00 A.M.
- 2.2 Signage on the property shall conform to the Town of Amherst *Land Use Bylaw*.
- 2.3 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties.
- 2.4 Solid waste management shall be in conformance with the Town of Amherst *Solid Waste Bylaw*.
- 2.5 The Owner shall 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.
- 2.6 The Owner shall erect temporary construction fencing during construction to minimize danger to the public and prevent unauthorized access to the construction site.
- 2.7 Accessory buildings may be permitted on the Lands in accordance with the Town of Amherst Land Use Bylaw.

Schedule B – Property Location Map

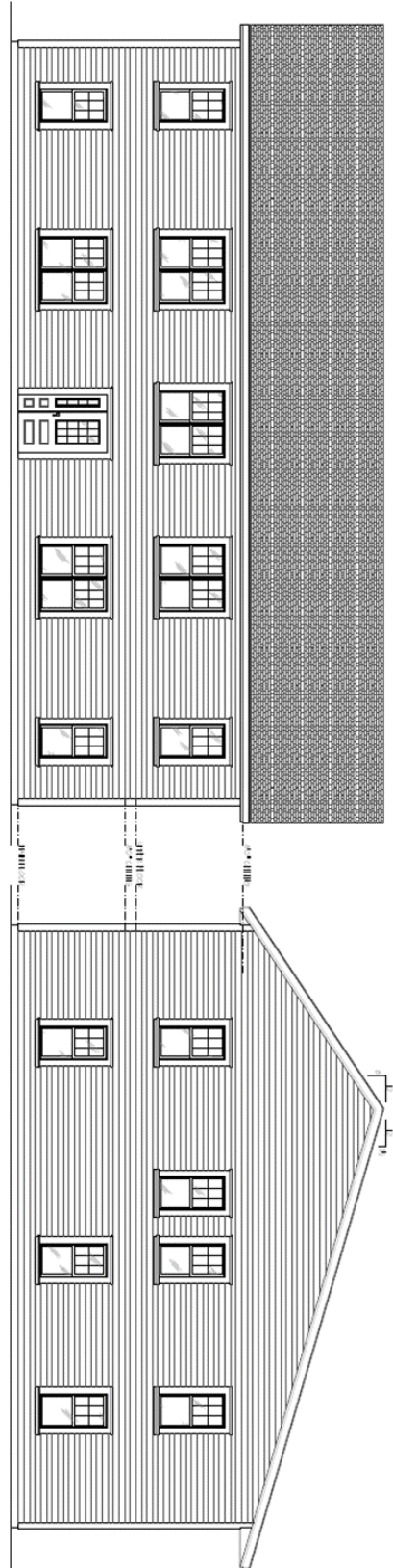


Schedule D – Building Elevations - 8 Units

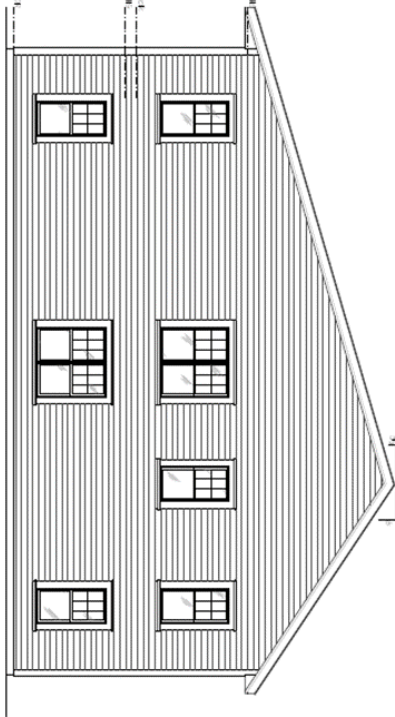
REAR ELEVATION
SCALE: 1/4" = 1'-0"



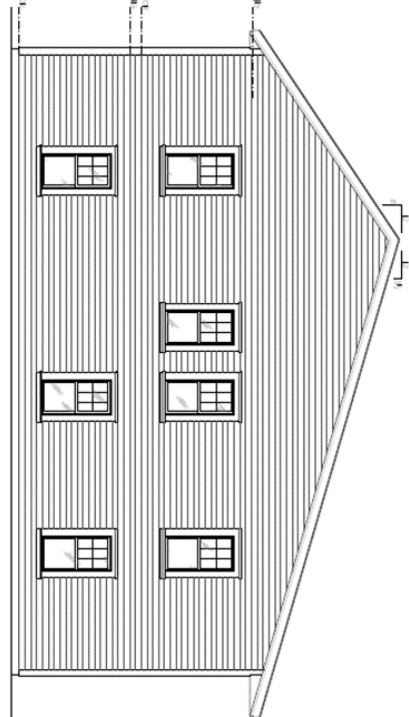
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



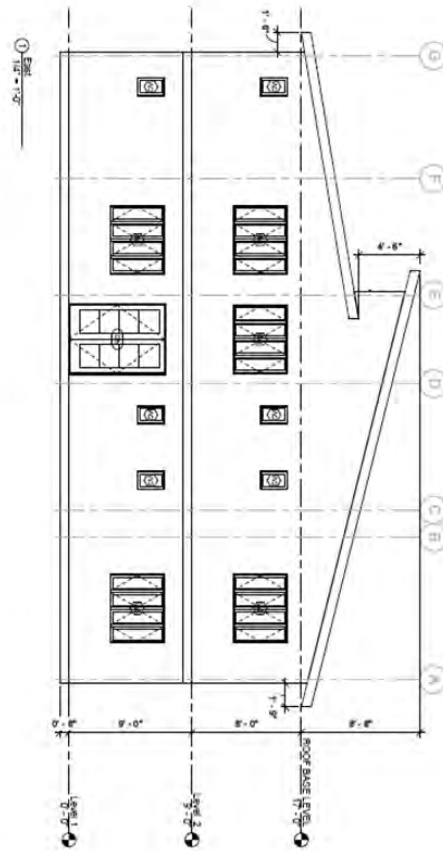
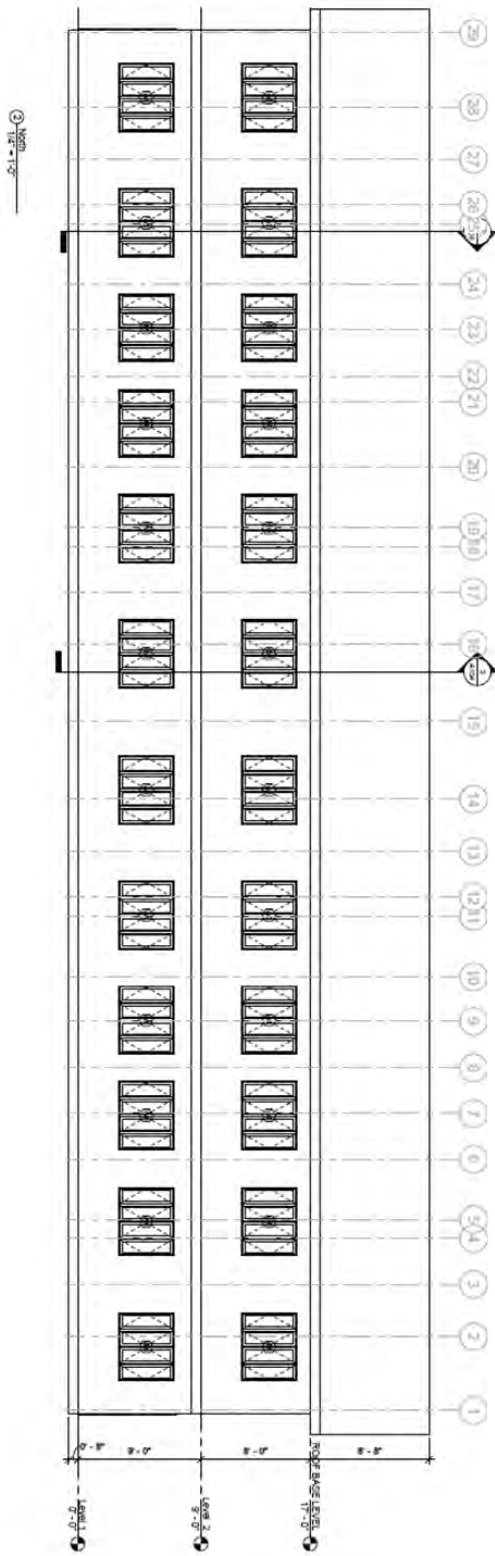
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



Schedule D – Building Elevations - 16 Units





Planning Advisory Committee

Development Agreement to Permit the Construction of 2-16 unit and 3-8 unit Apartment buildings.

April 7, 2025



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.

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: Tom Mattinson, Six Point Star Homes

Summary of Proposal: to construct 2-16 unit and 3-8 unit apartment dwellings. Each building is to be located on separate lots.

Location: 112 Victoria Street W. (PID 25000605)

Total Property Area: 222,156 sqft (20,639 sq m)

Existing Zoning: General Residential

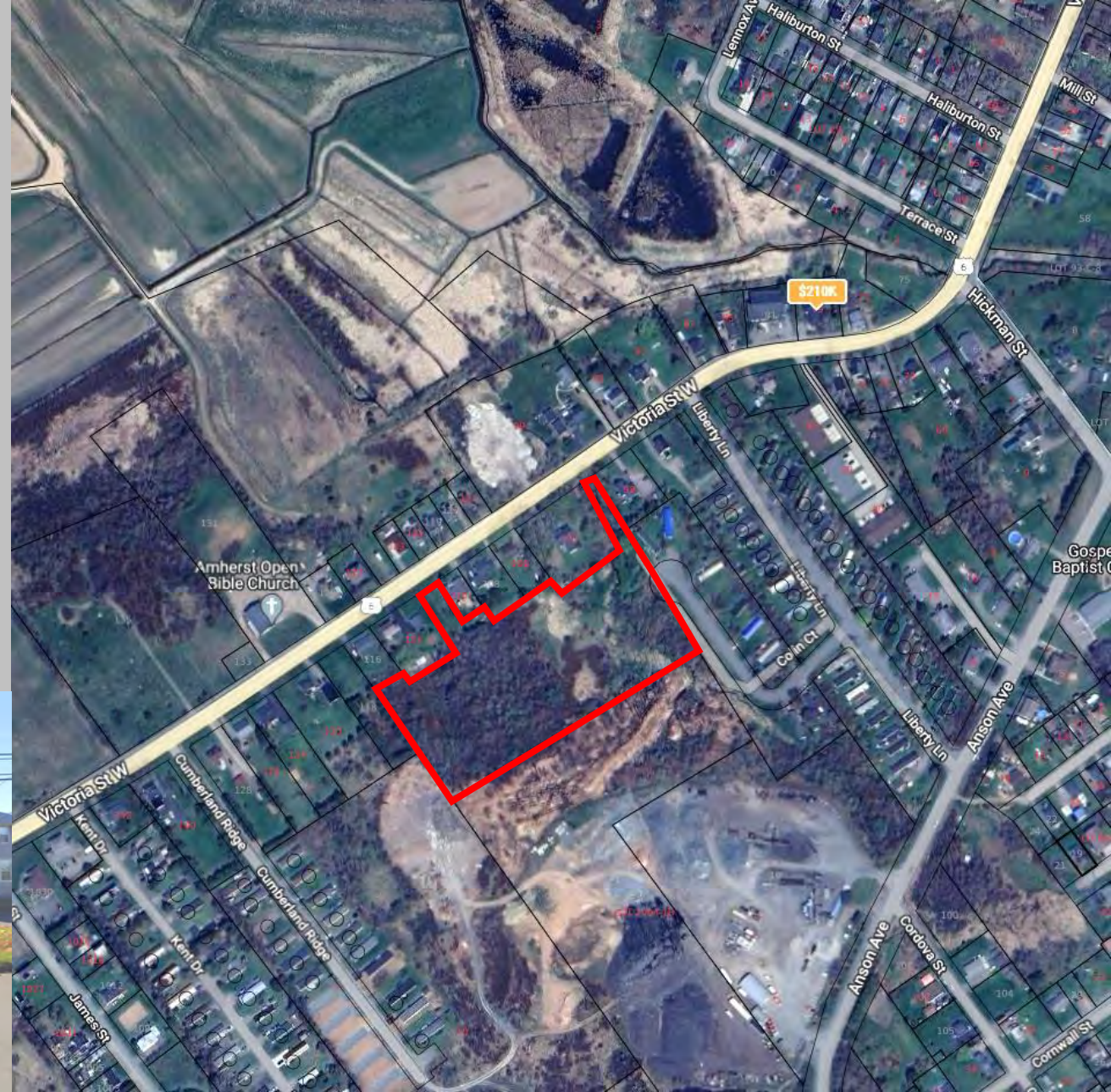
Existing Land Use: Vacant Land

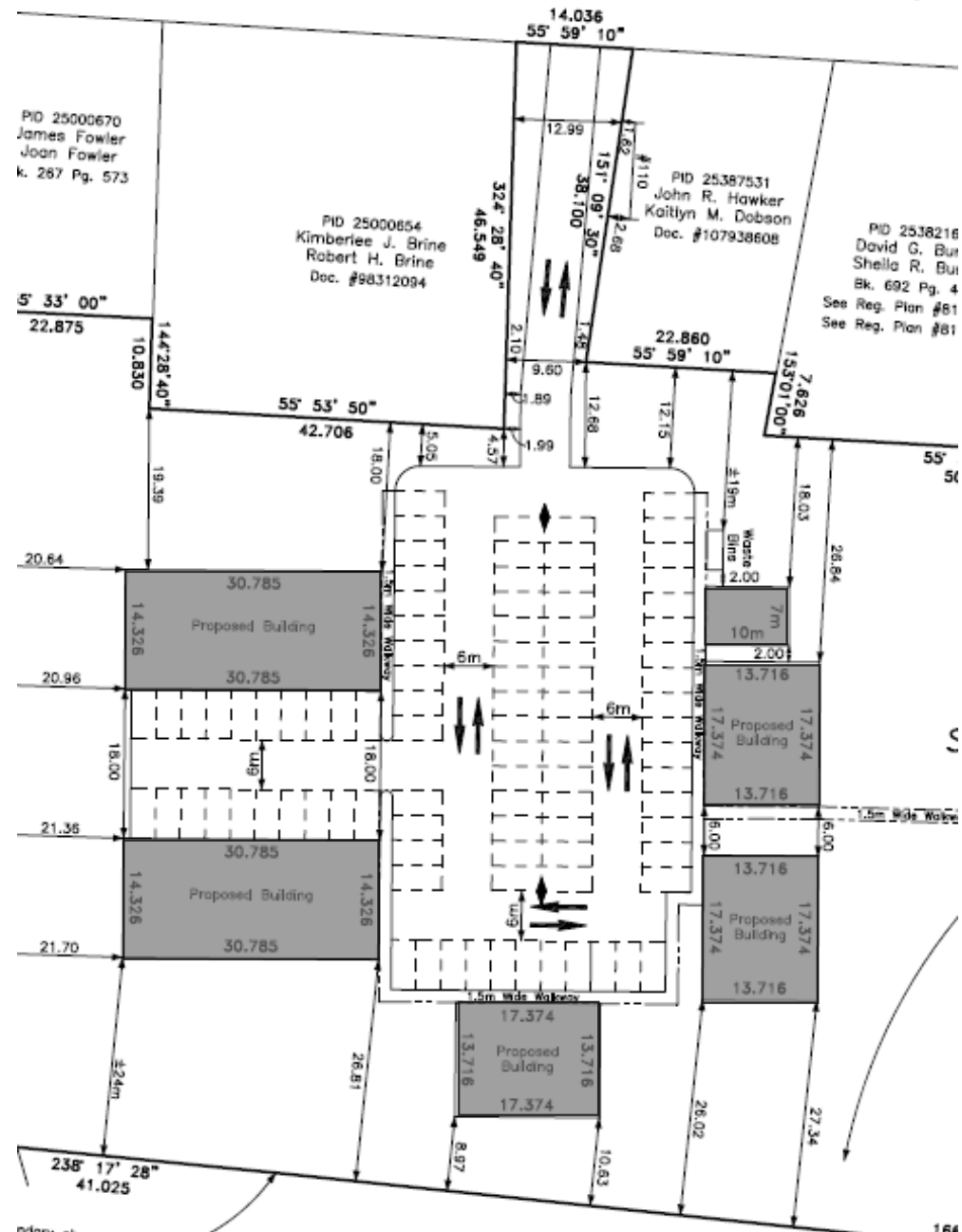
Street Frontage: 23 m along Victoria Street E.
28 m along Colin Ct.



Neighbourhood Context

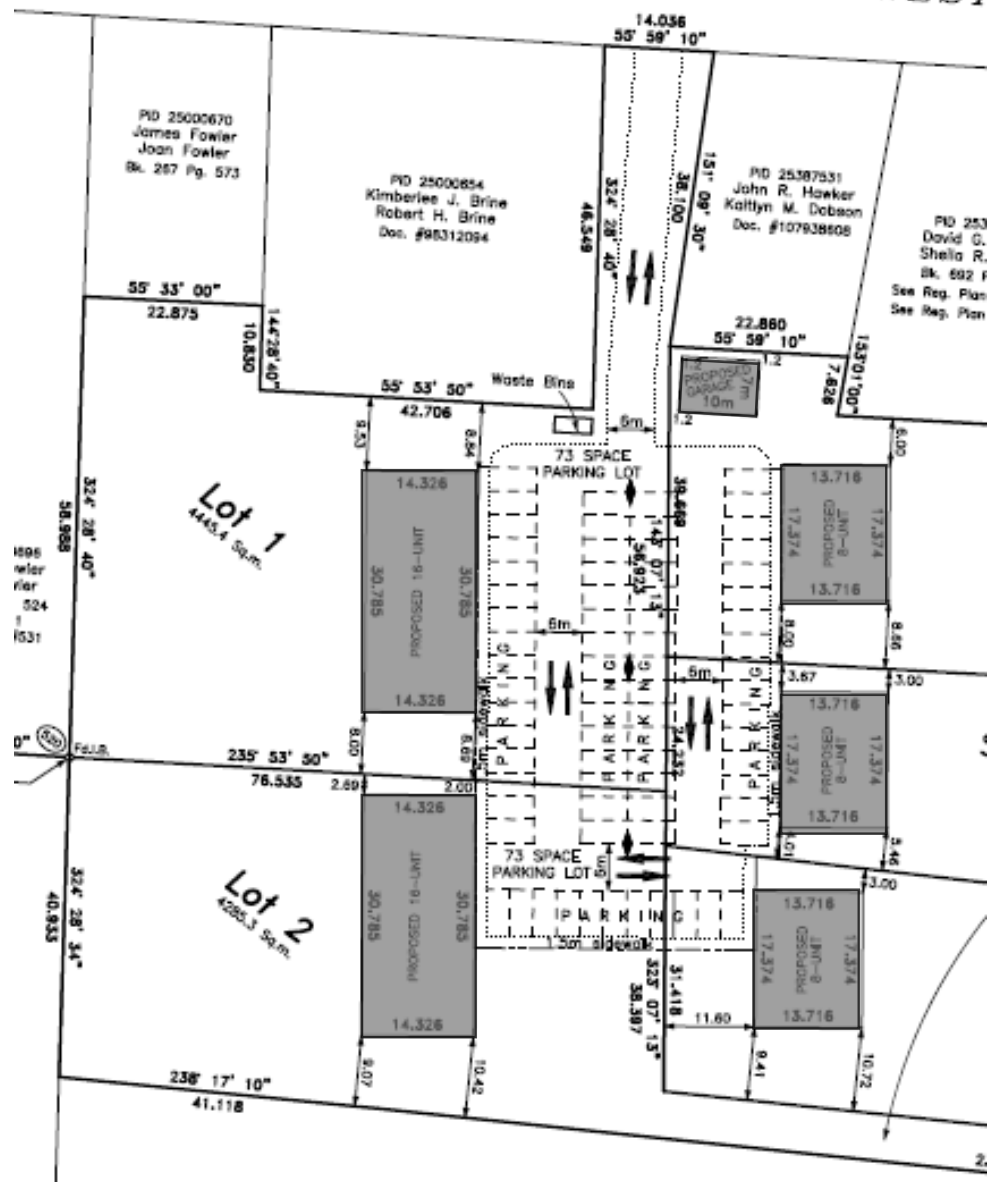
- Currently vacant land with developed land on three sides with a mix of single detached homes and converted multi-units.
- Costin Paving & Construction is located just behind the property.
- To the North, the marsh and open fields.
- About 1.5km from the Downtown Core and 1km from Highway Exit 3.





Boundary shown to follow brook on
 island Surveys Ltd. Job CS-2791.
 No brook has been found in this
 during the course of the survey.

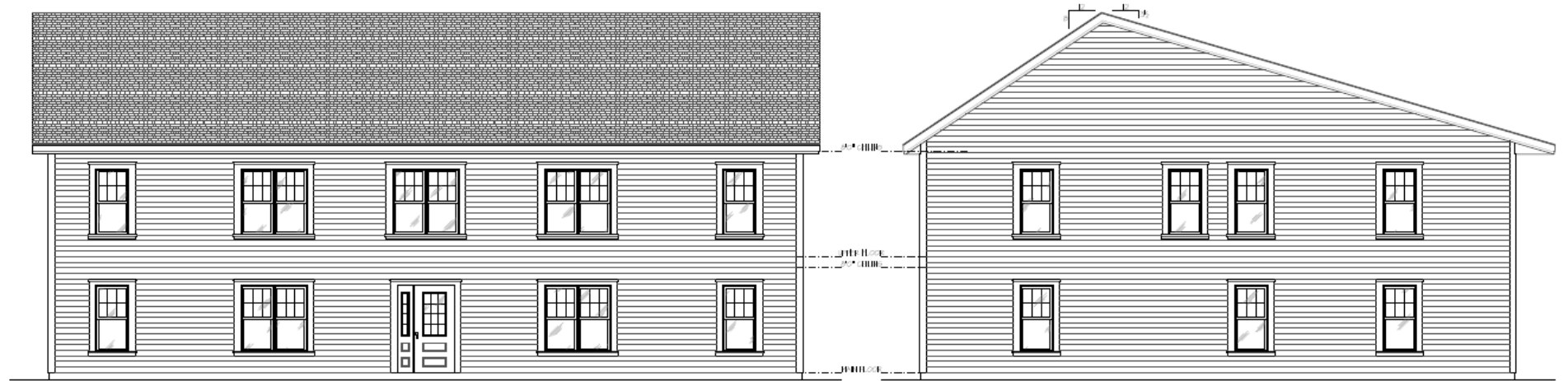
PID 25462466
 Costin Paving & Contracting Limited
 Doc. #111778354
 Lot 2004-10
 See Reg. Plan #76335513



PID 25462466
 Costin Paving & Contracting Limited
 Doc. #111778354
 Lot 2004-10
 See Reg. Plan #76335513

Drawings

8 Units

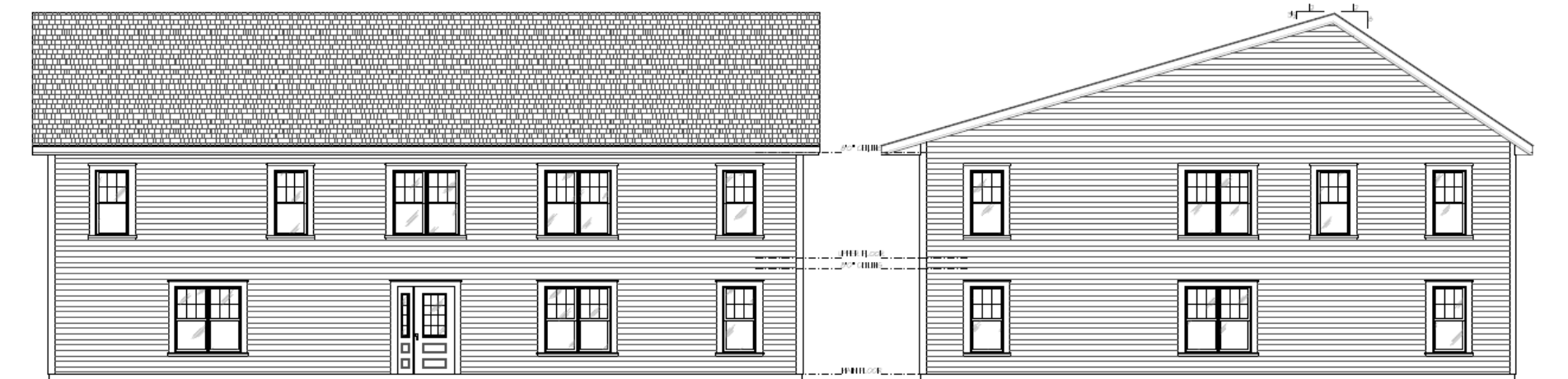


FRONT ELEVATION

SCALE: 1/4"=1'-0"

LEFT ELEVATION

SCALE: 1/4"=1'-0"



REAR ELEVATION

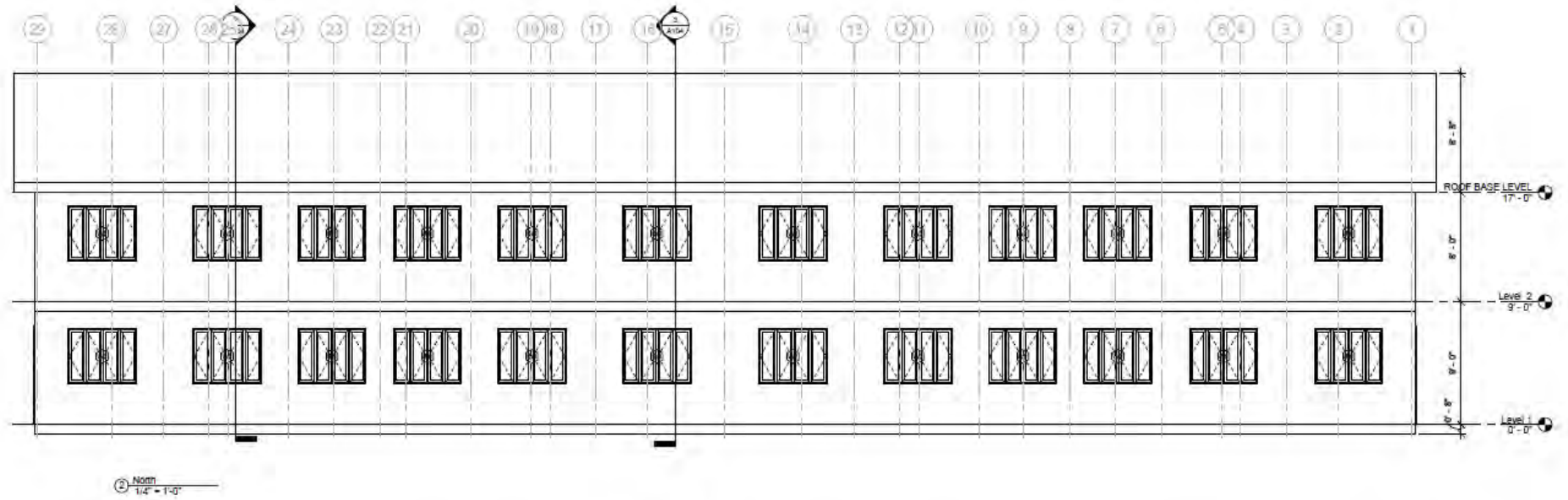
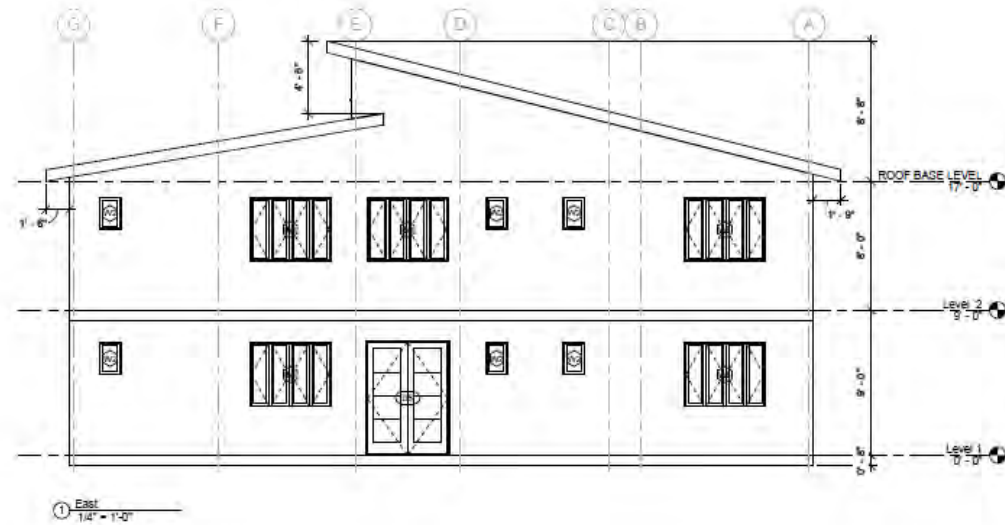
SCALE: 1/4"=1'-0"

RIGHT ELEVATION

SCALE: 1/4"=1'-0"

Drawings

16 Units





#seewhyweloveit



#seewhyweloveit

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 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

Relevant Planning Bylaws & Policies

2. Residential Policies

RP-11 (Affordable Housing)

It shall be the intention of Council to encourage and promote the provision of affordable housing units within all residential areas of the Town by:

- (a) encouraging a mix of housing types and densities;
- (b) permitting secondary apartments in all dwelling units;
- (c) permitting a secondary residential structure (Garden Suite) on a lot;
- (d) cooperating with Federal and Provincial Governments to facilitate affordable housing within the Town.

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 and other utilities;
- (c) incorporates a hierarchy of streets that efficiently and safely accommodates traffic flows and proper access to other 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. Municipal Services

MS-2 (Service Capacity)

It shall be the intention of Council to require that new municipal water, sanitary sewer and storm sewer services be built to to a capacity capable of providing service to undeveloped lands beyond the immediate development area, when the development of such an area is dependent upon use of said services.

It shall further be in the intention of Council to pay the incremental cost of such excess capacity and to recoup such costs upon costs upon development of the undeveloped lands outside the immediate development.

MEMO

TO: Planning Advisory Committee
FROM: Torben Laux, Land Use Planner
DATE: April 7th, 2025
RE: **Development Agreement – 112 Victoria Street West** (PID 25000605)

PROPOSAL

An application by Tom Mattinson of Six Point Star Homes for a development agreement (DA) to allow the construction of two 16-unit and three 8-unit apartment buildings on 112 Victoria Street West. Each building will be located on separate properties.

BACKGROUND INFORMATION

Tom Mattinson submitted an application in 2024 to allow the construction of two 16-unit and three 8-unit apartment buildings at 112 Victoria Street West. After reviewing the application on July 2, 2024, the Planning Advisory Committee (PAC) voted on a motion to request additional information and modifications to the proposal before making a recommendation to council.

The PAC recommended three key adjustments:

1. Site-specific illustrations
2. Increased setbacks to the south
3. A ninety-degree rotation of the buildings

Based on the PAC's recommendations, the attached application briefing provides updated site details, neighborhood context, and building proposal information.

The developer proposes constructing two 16-unit and three 8-unit apartment buildings on a 5.1-acre vacant lot. The site has three frontages on two streets: two on Victoria Street West and one connecting to Colin Court on the eastern side of the property. Costin Paving & Construction is located just behind the property.

The proposed buildings will be green-certified, featuring solar panels and energy-efficient designs. Construction will be stick-built by a local company and designated as **affordable housing**. The updated site plan includes **91 parking spaces** (an increase from the original 73), with the majority (71 spaces) centralized within the development. Vehicle access will be via a two-lane driveway on the western frontage of Victoria Street West.

The applicant has addressed **two of the three** PAC requests: increasing setbacks to the south and rotating the two 16-unit buildings by ninety degrees to create more space between the buildings and adjacent properties. The third request involved site-specific illustrations.

Response to PAC Recommendations

1. Site-Specific Illustrations

- The applicant provided renders of the development at a different location, stating that the buildings would be identical. Given the scale of the buildings relative to surrounding dwellings and the existing setback, staff believe site-specific renders may not be necessary as there is already a sufficient visual buffer.

2. Increased Setbacks to the South

- The buildings have been moved further back from the southern property line, increasing the setback distances as follows:
 - From **8.84m to 18m** at the property line of **114 Victoria Street W**
 - From **6m to 26.84m** at the property line of **108 Victoria Street W**

3. Ninety-Degree Rotation of the Buildings

- The two 16-unit apartment buildings have been rotated **ninety degrees**, further increasing the setback at **114 Victoria Street W (PID: 25000654)** from **8.84m to 18m** at its closest point.

The applicant intends to keep the right side of the property largely as is, incorporating outdoor space for garden beds and a walking path to Colin Court. The existing watercourse on the property will also be preserved.

Another concern raised was the width of the access to the property. At its narrowest point, the access is 9.6 m with the driveway being 6 m wide. As per the Land Use Bylaw, section 5.5 Performance Standards for Parking Area Driveways and Aisles, the minimum width of a two-way driveway is 6 m.

STORMWATER MANAGEMENT

It is recommended that an engineered stormwater management plan will be required to obtain permits.

PUBLIC PARTICIPATION

A Public Participation Opportunity (PPO) was held on June 20, 2024, in accordance with the Policy for Public Participation and Notification. Several members of the public attended the session.

Minutes from the PPO, along with written submissions, are included in the package. The concerns raised can be summarized as follows:

- Loss of natural habitat for wildlife
- Loss of green space, privacy and views
- Flooding and stormwater runoff
- Was told nothing could be built there
- Buildings and development in general are too large for the neighbourhood
- Local school capacity
- Inadequate access and increased traffic
- There are better locations for this development
- Increased noise pollution and traffic
- Influx of low-income people will increase crime and negative social problems
- Negative impact on property values
- The solid waste containment area is too close to the neighbouring property

RELEVANT POLICIES

1. Residential Policies (RP)

RP-8 (Housing Mix)

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

This development provides a range of housing mix in an already established residential area.

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.*

With the updated proposal, the buildings have been moved further back from the southern property line, increasing the setback from 8.84m to 18m at the property line of 114 Victoria Street West and from 6m to 26.84m at the property line of 108 Victoria Street West. The two 16-unit apartment buildings have also been rotated ninety degrees, further increasing the setback at 114 Victoria Street West (PID: 25000654) from 8.84m to 18m at its closest point.

The 91 parking spaces for 56 units, a ratio of 1.63 spaces per unit, which exceeds the 1.25 standard set out in the Land Use Bylaw. Access via a 6 m wide 2-lane driveway will lead directly onto an arterial street.

Outdoor lighting, signage provisions to address landscaping are addressed in the DA.

Regarding architectural sympathy, the proposed buildings would be significantly larger in footprint to the surrounding low-density dwellings nearby, although as 2-story buildings they are not significantly higher. Mitigating factors include the ample separation from existing dwellings, and the use of fencing and vegetation to act as a visual buffer.

RP-11 (Affordability)

It shall be the intention of Council to encourage and promote the provision of affordable housing units within all residential areas of the Town by:

- (a) encouraging a mix of housing types and densities;
- (b) permitting secondary apartments in all dwelling units;
- (c) permitting a secondary residential structure (Garden Suite) on a lot;
- (d) cooperating with Federal and Provincial Governments to facilitate affordable housing within the Town.

The applicant proposes that 49% of units will be affordable, with 50% 2-bedroom and 25% 3-bedroom apartments.

RP-12 (Residential Area Design)

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

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

The development generally satisfies 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 satisfies all aspects of this policy. It is infill development that will require no extension of town infrastructure.

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 contains provisions that address setbacks, buffering through the use of visual barriers. The location of parking and accessory buildings are all addressed.

GP-8 Density

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

The overall density of the development is 9.4 units/acre. To provide some perspective, if the property were to be developed as a subdivision, a rough estimate would suggest that it could accommodate approximately 31 single-detached dwelling lots if 1/3 of the property were used for streets. This amounts to a density of 6 units/acre. While there is no singular definition of low or high density, 9.4 units/acre could be considered at the lower end of medium density.

GP-12 General Quality Controls

It shall be the intention of Council to include in the land use bylaw a full range of provisions to ensure a high quality urban environment in all land use designations. Such provisions shall include, but not be limited to regulations concerning signage,

landscaping and buffering, accessory buildings, separation distances, and obnoxious uses.

The development generally satisfies this policy with the increase of the setbacks and visual buffer.

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 development represents a significant increase in scale when compared to the nearby low density residential development. That being said, the buildings will be two-storey, similar to 1-2 level dwellings nearby. The development is positioned approximately 73m (240ft) up from 60m (200ft) from West Victoria. As such it will have no visual impact on the streetscape. In addition, the proposed buildings are oriented on the lot such that the buildings have a significant distance from existing dwellings to the north. The Costin Paving property is to the south where there will be no impact. In terms of lot coverage, the buildings and parking are condensed on the lot leaving over 80% of the overall property as green space.

DISCUSSION & CONCLUSION

Staff feel the draft DA is in keeping with the general intent of the relevant polices of the MPS. 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 112 Victoria Street West Development as drafted.

Option Two: Recommend that Council not enter into the Development Agreement 112 Victoria Street West.

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

STAFF RECOMMENDATION: Option One.

SYNOPSIS

ASPHALT PATCHING TENDER

The recently approved 2025/26 operating budget includes an amount of \$490,050 for contracted patching services. The work performed under this contract includes asphalt spreader patching of streets and the restoration of service cuts.

A tender for the asphalt patching program was issued with a closing date of May 12, 2025 and two bids were received:

- Miller Group \$ 492,161.00
- Dexter Construction \$ 449,350.00

As the tender is a unit price contract based on estimated quantities, the final cost will be determined by the actual quantities of material used and will not exceed the budget approved by Council.

MOTION:

That Council award the Asphalt Patching Tender (RFT-25-01) to the lowest compliant bidder, Dexter Construction, at their unit prices based on our estimated quantities in the amount of \$449,350.00 plus HST.



AMHERST TOWN COUNCIL

RFD# 2025068

Date: May 26, 2025

TO: Mayor Small and Members of Council

SUBMITTED BY: Aaron Bourgeois, Director of Operations

DATE: May 26, 2025

SUBJECT: Asphalt Patching Tender (RFT-25-01)

ORIGIN: Operating Budget for the year ending March 31, 2026.

LEGISLATIVE AUTHORITY: 31700-01 Procurement Policy

RECOMMENDATION: That Council award the Asphalt Patching Tender (RFT-25-01) to the lowest compliant bidder, Dexter Construction, at their unit prices based on our estimated quantities in the amount of \$449,350.00 plus HST.

BACKGROUND: A tender for the asphalt patching program was issued with a closing date of May 12, 2025. The following two bids were received, excluding applicable taxes:

- Miller Group \$ 492,161.00
- Dexter Construction \$ 449,350.00

DISCUSSION: Awarding of the tender at this time will allow for timely completion of the Town's contracted spreader patching and service cut restoration.

FINANCIAL IMPLICATIONS: The recently approved operating budget for 2025/26 includes \$330,000 in Operations, \$44,050 in Sewage and \$120,000 in the Water Utility operating budgets for a total of \$494,050 for contracted patching services. The cost of the proposed work including non-refundable taxes, based on the estimated quantities is \$466,681.43. As the tender is a unit price contract based on estimated quantities the final cost will be determined by the actual quantities of material used and will not exceed the budget approved by Council.

COMMUNITY ENGAGEMENT: Social media posts will advise residents of the planned locations for asphalt patching activities.

ENVIRONMENTAL IMPLICATIONS: There are no direct environmental implications to the award of this contract. Asphalt patching does generate greenhouse gas emissions, however there is currently no alternative method of completing the work.



SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications to the award of this contract.

ALTERNATIVES: As both bidders were compliant with the tendering process, Council has no alternative but to award the contract to the low bidder, unless the project were to be cancelled altogether.

ATTACHMENTS: None

SYNOPSIS

CAPITAL BUDGET AMENDMENT

CAPITAL PAVING

At the April 15, 2025 capital budget meeting Council approved the proposed streets for the 2025/26 capital paving program and also passed a motion directing staff to bring back recommendations on the additional paving of Park Street, Queen Street from Croft Street to Albion Street, the Dayle's parking lot section immediately off of Ratchford Street, Dale Street from LaPlanche Street to Eddy Street, and the West Pleasant Street underpass.

In late April 28, 2025 the CAO was notified by the province that the Town's submission under the Cost Shared Program for Municipally owned Trunks and Routes Paving program for fiscal year 2025/26 was approved for South Albion Street from Robert Angus Drive to Town Boundary. This program will see the province pay for 50% of the eligible costs to cold mill and overlay a portion of South Albion Street.

As directed, staff inspected each of the streets council asked to be considered for additional paving and based on the condition of the asphalt and the condition and age of the underground infrastructure staff recommended overlaying Park Street from West Pleasant Street to Mission Street and Queen Street from Croft Street to Albion Street.

Staff also recommended taking advantage of the 50% funding being offered by the province to cold mill and pave South Albion Street from Robert Angus Drive to the Town Boundary.

MOTION:

That Council approve an amendment to the 2025/26 general capital budget in the amount of \$463,700 including applicable taxes for the paving of:

- **Queen Street from Croft Street to Albion Street - \$64,000 from the Capital Reserve;**
- **Park Street from West Pleasant Street to Mission Street - \$125,000 from the Canada Community Building Fund, and**
- **South Albion Street from Robert Angus Drive to the Town Boundary - \$137,350 from the Capital Reserve and \$137,350 Provincial Contribution.**



AMHERST TOWN COUNCIL

RFD# 2025067

Date: May 26, 2025

TO: Mayor Small and Members of Council

SUBMITTED BY: Aaron Bourgeois, Director of Operations

DATE: May 26, 2025

SUBJECT: Capital Budget Amendment – Capital Paving

ORIGIN: The April 15, 2025 Capital Budget meeting.

LEGISLATIVE AUTHORITY: MGA Section 65A (4)

RECOMMENDATION: That Council approve an amendment to the 2025/26 general capital budget in the amount of \$463,700 including applicable taxes for the paving of:

- Queen Street from Croft Street to Albion Street
- Park Street from West Pleasant Street to Mission Street, and
- South Albion Street from Robert Angus Drive to the Town Boundary

BACKGROUND: At the April 15, 2025 capital budget meeting, the following motion was passed:

That the streets proposed for the 2025/26 capital paving program be approved as part of the capital budget, and in addition that staff be directed to bring back recommendations on the additional paving of Park Street, Queen Street from Croft Street to Albion Street, the Dayle's parking lot section immediately off of Ratchford Street, Dale Street from LaPlanche Street to Eddy Street, and the West Pleasant Street underpass.

On April 28, 2025 the CAO received notice from the Nova Scotia Department of Public Works that that our submission under the Cost Shared Program for Municipally owned Trunks and Routes Paving for fiscal year 2025/26 was approved for South Albion Street from Robert Angus Drive to the Town Boundary. This program will see the province pay for 50% of the eligible costs to cold mill and overlay a portion of South Albion Street.

DISCUSSION: As directed, staff inspected each of the streets Council asked to be considered for additional paving. Based on the current condition of the asphalt and the condition and age of the underground infrastructure staff are recommending overlaying Park Street from West Pleasant Street to Mission Street and Queen Street from Croft Street to Albion Street. Dayle Street and the Ratchford Street parking lot will be addressed with spreader patching and Public Works Staff will modify the drainage grates on West Pleasant Street to smooth out the “bumps”.



Staff are further recommending that we take advantage of the 50% funding being offered by the province to cold mill and pave South Albion Street from Robert Angus Drive to the Town Boundary.

FINANCIAL IMPLICATIONS: The source of funding for the additional street paving will be:

- Park Street (West Pleasant to Mission) \$125,000 Canada Community Building Fund
- Queen Street (Croft to Albion) \$64,000 Capital Reserve
- South Albion Street (Robert Angus to Town Boundary) \$137,350 Capital Reserve and \$137,350 Provincial Contribution

COMMUNITY ENGAGEMENT: Public advisories would be issued as needed to facilitate this work.

ENVIRONMENTAL IMPLICATIONS: There are minimal environmental implications to this decision.

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

ALTERNATIVES: Do not approve the additional paving projects at this time.

ATTACHMENTS: None

SYNOPSIS

SIGNING AUTHORITY POLICY AMENDMENT

The purpose of the Signing Authority Policy is to identify staff and elected officials who can sign bank documents. Cheques require two signatures, one elected official (Mayor, Deputy Mayor or Designated Councillor) and one administrative official (either the Chief Administrative Officer or Treasurer).

The Signing Authority Policy currently states that bank documents must be signed by one of the Mayor, Deputy Mayor, Designated Councillor as well as one of the CAO or Treasurer.

In the event neither the Chief Administrative Officer or the Treasurer are available, having a third staff member would be beneficial in the timely issuance of cheques. Currently the Treasurer signs cheques as the staff member (and will continue to) and when she is on vacation the CAO signs in her absence. Having a third staff member would be beneficial especially during summer vacations.

MOTION:

That Council approve an amendment to the Signing Authority Policy #03400-01 to add the Manager of Financial Services as a third staff member to section 2 for signing cheques, bank documents, etc.



AMHERST TOWN COUNCIL

RFD# 2025066

Date: May 26, 2025

TO: Mayor Small and Members of Amherst Town Council

SUBMITTED BY: Sarah Wilson, Director of Finance / Treasurer

DATE: May 26, 2025

SUBJECT: Signing Authorities – Adding Third Staff Member

ORIGIN: Suggestion from Mayor to have three staff members since there are three elected officials.

LEGISLATIVE AUTHORITY: Town of Amherst Signing Authority Policy, #03400-01

RECOMMENDATION: That Council approve an amendment to the Signing Authority Policy #03400-01 to add the Manager of Financial Services as a third staff member to section 2 for signing cheques, bank documents, etc.

BACKGROUND: The Signing Authority Policy currently states in section 2:

For all Town bank accounts any cheques, bank documents, etc., of the Town shall be signed by two signing officers. The signing officers of the Town shall be:

- a) Mayor, Deputy Mayor, Designated Councillor (any one of them)
- and
- b) Chief Administrative Officer or Treasurer (any one of them).

DISCUSSION: The purpose of the Signing Authority Policy is to identify signing authorities for the Town. Cheques require two signatures, one elected official (Mayor, Deputy Mayor or Designated Councillor) and one administrative official (either the Chief Administrative Officer or Treasurer).

In the event neither the Chief Administrative Officer or the Treasurer are available, having a third staff member would be beneficial in the timely issuance of cheques. Currently the Treasurer signs cheques as the staff member (and will continue to) and when she is on vacation the CAO signs in her absence. Having a third staff member would be beneficial especially during summer vacations.

The Master Client Agreement with Royal Bank (signature card) would need to be updated with this policy change. The Master Client Agreement authorizes the individuals listed to sign bank documents on behalf of the Town.



FINANCIAL IMPLICATIONS: There are no financial implications to designating an additional staff member as a signing authority.

COMMUNITY ENGAGEMENT: This is an internal operation; no community engagement.

ENVIRONMENTAL IMPLICATIONS: No environmental implications.

SOCIAL JUSTICE IMPLICATIONS: N/A

ALTERNATIVES:

1. Do not add a third staff member to the policy.

ATTACHMENTS: Signing Authority Policy, 03400-01 with amendment.

TITLE: SIGNING AUTHORITY POLICY
SECTION: FINANCE
POLICY NO.: 03400-01

APPROVAL DATE: 23 January 2023

CAO Signature: _____

PURPOSE:

To identify signing officers of the Town of Amherst

POLICY STATEMENT:

1. All documents signed under the seal of the Town shall be signed by the:
 - a) Mayor or Deputy Mayor (any one of them)

And

 - b) Chief Administrative Officer, Town Clerk or Treasurer (any one of them).

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

And

 - b) Chief Administrative Officer, ~~or~~ Treasurer, **Manager of Financial Services** (any one of them).

ROLES AND RESPONSIBILITIES

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

For Administrative Use Only:

VERSION LOG

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

TITLE: SIGNING AUTHORITY POLICY
SECTION: FINANCE
POLICY NO.: 03400-01

Amend policy to add third staff member to section 2.	Director of Finance - Wilson		
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21 September 1992; 25 September 1995; 25 March 1996; 21 May 1996; 12 December 2000; 25 November 2002; 26 January 2015; 23 November 2020

SYNOPSIS

SALARY ADMINISTRATION POLICY AMENDMENT

A hiring competition took place for the Marketing Strategist position. Following the conclusion of the competition where no applicant with the required managerial experience was identified, the hiring committee felt the best path forward would be to move to a team approach with two new marketing and communications positions and to relocate these from the initially proposed CAO's office to the Community Living department. Council approved staff to proceed in this direction.

This requires the following revisions to the Salary Administration Policy:

- Remove the Marketing Strategist position from the CAO's office;
- Add the Marketing & Communications Officer position to the Community Living Department and;
- Develop a new salary range of \$61,019 to \$72,860.

There are no new costs associated with this revision. The wages & benefit costs were included in the 2025/26 operating budget.

MOTION:

That Council approve the amendments to the Salary Administration Policy #04530-01.



AMHERST TOWN COUNCIL

RFD# 2025070

Date: May 26, 2025

TO: Mayor Small and Members of Amherst Town Council

SUBMITTED BY: Krista Crossman, Director of Human Resources

DATE: May 26, 2025

SUBJECT: **Salary Administration Policy Amendments – Marketing Position**

ORIGIN: Addition of Marketing position to support strategic initiatives.

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

RECOMMENDATION: That Council approve the amendments to the Salary Administration Policy #04530-01.

BACKGROUND: At the January 27, 2025 Council meeting, Council approved the creation of a Marketing Strategist position to reside in the CAO’s office to support the initiatives developed within the strategic plan.

DISCUSSION: A hiring competition took place for the Marketing Strategist position. Following the conclusion of the competition where no applicant with the required managerial experience was identified, the hiring committee felt the best path forward would be to move to a team approach with two new marketing and communications positions and to relocate these from the initially proposed CAO’s office to the Community Living department. Council approved staff to proceed in this direction.

This requires the following revisions to the Salary Administration policy:

- Remove the Marketing Strategist position from the CAO’s office;
- Add the Marketing & Communications Officer position to the Community Living department and;
- Develop a new salary range of \$61,019 to \$72,860. This is the average between the initial salary range proposed for the Strategist position and our existing salary range for the Communications Officer position:

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Marketing Strategist	67,624	69,653	71,742	73,895	76,111	78,395	80,747
Communications Officer	54,414	56,046	57,728	59,460	61,243	63,081	64,973

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
NEW - Marketing & Communications Officer	61,019	62,850	64,735	66,677	68,677	70,738	72,860

FINANCIAL IMPLICATIONS: There are no new costs associated with this revision. The wages & benefit costs were included in the 2025/26 operating budget.

COMMUNITY ENGAGEMENT: No community engagement is required.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications associated with this decision.

SOCIAL JUSTICE IMPLICATIONS: Splitting this into two positions will likely improve work-life balance and allow for a more even distribution of workload which supports our commitment to equitable workplace practices.

ALTERNATIVES:

1. Do not accept the recommendation.
2. Direct staff to develop alternative recommendations.

ATTACHMENTS:

#04530-01 Salary Administration Policy

Report prepared by: Krista Crossman, Director, HR

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

APPROVAL DATE: _____

CAO Signature: _____

PURPOSE

To set out the Policy of the Town of Amherst for salary administration for all non-union employees.

POLICY STATEMENT

The Town of Amherst will ensure the fair and equitable compensation of all non-union employees in relation to the duties of the position within the Town.

OBJECTIVES

1. To promote salary equity in the Town's non-union sector.
2. To establish a framework and procedure to determine categories of compensation for new positions.

DEFINITION OF TERMS

Salary Grid - shows all the salary scales applicable to positions within the Town. The salary grids are contained in Appendices A, A-1, B, & C. The salary grid in Appendix C has seven steps.

Step Adjustment – a move from one step, within a given salary range, to another (usually the next step) for individual employees is based on a satisfactory performance evaluation.

Salary Range - is defined as a range of pay for a category of duties, with a minimum and maximum. The range will be established by Council after considering the recommendation of the CAO.

Overall Market Review – A review of the appropriateness of the salary ranges for positions as listed in Appendix C. The review shall include a survey of the market value of similar positions.

Performance Evaluation – A formal evaluation of the employee's job performance. All employees will receive at least one Performance Evaluation in each year of service.

SALARY GRID:

An appropriate salary grid for all non-union positions shall be determined by the council:

New Positions: Recommendations for placement on the salary grid in Appendix C shall be prepared by the Chief Administrative Officer and forwarded to Council for approval.

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

STEP ADJUSTMENTS

Step adjustments shall be made only when:

1. The adjustment can be accommodated within the Salary budget of the appropriate department; and
2. A current Performance Evaluation form is on file.

Upon completion of a satisfactory annual evaluation, the employee may be moved to the next step of their salary range in Appendix C. All step movements must be approved by the CAO.

The CAO may, on the recommendation of the Director, authorize a movement of up to 3 steps in one year to recognize exceptional performance. In normal circumstances employees would move one step each year upon a satisfactory performance evaluation.

TRAVEL VEHICLE ALLOWANCES:

Mayor, Council and Directors of departments shall receive a monthly vehicle allowance of \$150.00. The monthly vehicle allowance is for reimbursement for all local travel using one's personal motor vehicle for travel within the boundary of the Town of Amherst. Travel outside the boundary is covered under Policy #03000-01. The monthly vehicle allowance shall be reviewed each year after considering any changes in the cost of operating a motor vehicle.

LUNCH BREAKS:

The lunch break period shall be for a one-hour period.

PERFORMANCE EVALUATION:

Performance appraisals shall be conducted by the Chief Administrative Officer/Director at the completion of the probation period, and at least annually thereafter recorded on Performance Evaluation forms.

The Chief Administrative Officer/Director shall discuss the employee's performance evaluation in detail with the employee, in accordance with the employee evaluation system and standardized forms.

SCOPE OF RESPONSIBILITY:

The Town Council shall:

1. Authorize changes to the policies comprising the program of employee compensation.
2. Review and approve salary categories for all established positions within the Town.
3. Review and consider for approval the recommendations of the CAO in regard to the appropriateness of the salary classifications and ranges from time to time if necessary.

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

The Chief Administrative Officer shall:

1. Review and recommend changes to policy and procedures as they relate to the employee compensation program.
2. Ensure the maintenance of the salary rating and performance appraisal procedures.
3. Conduct salary rating and performance evaluation procedures relative to Director positions.
4. Monitor salary surveys and make recommendations to Council concerning market conditions as appropriate with an overall market review to be completed every three (3) years, or as directed by Council.
5. Grant step and/or merit adjustments to individual employees in accordance with approved policies and procedures and subject to budgeting limitations.
6. Maintain all personnel files and records.
7. Determine salary ratings for temporary and casual positions.

The Director Shall:

1. Conduct performance evaluation procedures relative to the positions and employees within their respective departments and make appropriate recommendations to the Chief Administrative Officer.
2. Make recommendations to the Chief Administrative Officer regarding step adjustments for employees within their departments.

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

APPENDIX A

January 1, 2019

Town of Amherst
Salary Grid

Job Level	Salary Amount	
Mayor	Stipend	\$41,178.00
Deputy Mayor	Stipend	\$27,723.00
Councilor	Stipend	\$25,050.00

APPENDIX A-1

April 1, 2024

Salary Grid
Other Non-Union Positions

Job Level
Chief of Police
Deputy Chief of Police
Inspector - Police

** Effective April 1, 2018 the Chief of Police and Deputy Chief of Police salaries will be calculated on April 1st of each year as being 141% and 129% of the first-class constable rates.

** Effective April 1, 2024, the Inspector salary will be calculated on April 1st of each year as being 120% of the first-class constable rates.

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

APPENDIX B

April 1, 2024

Town of Amherst

Hourly Rates – Casual Positions

Position	Rate
Casual Firefighter	Provincial Minimum Wage + \$4.00/hr.
Jail Guard	Provincial Minimum Wage + \$4.00/hr.
School Crossing Guard	Provincial Minimum Wage + \$2.00/hr.
New Student	Provincial Minimum Wage
First Year Returning Student	Provincial Minimum Wage + \$2.00/hr.
Second+ Year Returning Student	Provincial Minimum Wage + \$3.00/hr.
Professional Student *	Provincial Minimum Wage + \$4.00/hr.

* Applies to student employees enrolled in a professional post-secondary program for which the Town requires specialized education requirements as a condition of employment. i.e. Engineering, Planning, Accounting, etc.

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

Town of Amherst - 2024/25 Salary Grid
Non-Union

APPENDIX C
MAY 26, 2025

DEPARTMENT	JOB TITLE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
CAO's OFFICE	Deputy CAO	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Municipal Clerk	72,585	74,763	77,005	79,316	81,695	84,146	86,670
	Marketing & Communications Strategist	67,624	69,653	71,742	73,895	76,111	78,395	80,747
	Communications Officer	54,414	56,046	57,728	59,460	61,243	63,081	64,973
	Administrative Assistant - Clerk's Office	49,740	51,232	52,769	54,352	55,983	57,662	59,392
IT	IT Manager	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	IT Coordinator	54,414	56,046	57,728	59,460	61,243	63,081	64,973
COMMUNITY LIVING	Director of Community Living	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Community Well-Being Manager	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Marketing & Communications Officer	61,019	62,850	64,735	66,677	68,677	70,738	72,860
	Culture, Events & Marketing Coordinator	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Active Living Coordinator	49,740	51,232	52,769	54,352	55,983	57,662	59,392
FINANCE	Director, Finance	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Manager of Financial Services	80,200	82,606	85,084	87,637	90,266	92,974	95,763
	Revenue Officer	54,414	56,046	57,728	59,460	61,243	63,081	64,973
	Accounting Clerk/Accounts Payable	54,414	56,046	57,728	59,460	61,243	63,081	64,973
	Water/Sewer Billing Clerk	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Cashier/Customer Service	49,740	51,232	52,769	54,352	55,983	57,662	59,392
FIRE	Director, Fire Services	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Fire Inspector	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Firefighter	54,414	56,046	57,728	59,460	61,243	63,081	64,973
HUMAN RESOURCES	Director, Human Resources	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	HR Generalist	54,414	56,046	57,728	59,460	61,243	63,081	64,973
OPERATIONS	Director, Operations	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Public Works Foreman	72,585	74,763	77,005	79,316	81,695	84,146	86,670
	Facilities Manager	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Parks & Recreation Foreman	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Solid Waste Education and Coordination Officer	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Engineering Technician	62,295	64,164	66,089	68,071	70,114	72,217	74,383
PLANNING + ECONOMIC DEVELOPMENT	Director, Planning & Economic Development	95,680	98,550	101,507	104,552	107,689	110,919	114,247
	Building Official	72,585	74,763	77,005	79,316	81,695	84,146	86,670
	Land Use Planner	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Economic Development Officer	62,295	64,164	66,089	68,071	70,114	72,217	74,383
	Dangerous and Unightly Premises Coordinator	54,414	56,046	57,728	59,460	61,243	63,081	64,973
POLICE	Executive Assistant/Dispatch Coordinator	54,414	56,046	57,728	59,460	61,243	63,081	64,973
	Bylaw Enforcement Officer	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Crime Prevention Coordinator	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Dispatcher	49,740	51,232	52,769	54,352	55,983	57,662	59,392
	Criminal Records Check	41,454	42,698	43,979	45,298	46,657	48,057	49,498

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Chief Administrative Officer	As indicated under “Scope of Responsibility”
Directors and Managers	As indicated under “Scope of Responsibility”

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
<ol style="list-style-type: none"> NS minimum wage updates; Position name changes: Municipal Clerk, Dir. Corp. Communications + Info Technology, removal of GIS Coordinator, addition of Engineering Technician 	Crossman: Director, HR and Customer Services	Council	March 27, 2023
Appendix B – amendment to the pay structure for student hourly rate of pay.	Director of HR & Customer Services	Council	April 24, 2023
NS minimum wage updates	Director of HR & Customer Services	Council	September 25, 2023
Addition of new position: Manager of Financial Services	Director of HR & Customer Services	Council	February 26, 2024
<ol style="list-style-type: none"> Revision of hourly rates for casual positions Appendix B, removal of Appendix C “Job Categories”, revision to salary scales presented by department (new Appendix C), removal of Appendix C-1; Salary steps moved to 7 levels from 8, equal differential between each step, elimination of level 1, addition of new upper level; Language updates to reflect revisions to Appendices, Director, HR and Customer Services changed to Director, Human Resources. HR Administrator changed to HR Generalist. 	Director of HR & Customer Services	Council	April 22, 2024
Addition of Inspector salary to Appendix A-1	Director of HR	Council	June 11, 2024
Removal of Procurement Coordinator position, addition of Marketing Manager position, Dir. of Planning + Strategic Initiatives to Dir. Planning + Economic Development, Business Development Officer to Economic Development Officer, addition of Deputy CAO and addition of CAO’s Office	Director of HR	Council	January 27, 2025

TITLE: SALARY ADMINISTRATION POLICY
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04530-01

Include the proposed CPI supplement, not to exceed 3%, for staff who are at the end of their salary range.	Director of HR	Council	April 28, 2025
Removal of Marketing Strategist position, creation of new Marketing & Communications Officer position along with new salary range.	Director of HR	Council	

MINUTES REFERENCE DATE

December 12, 2000	November 2, 2004	(See April 26, 2004 Minutes)	November 27, 2006
December 18, 2006	February 26, 2007	March 31, 2008	July 16, 2008
September 29, 2008	March 30, 2009	September 28, 2009	March 29, 2010
April 26, 2010	March 28, 2011	August 2, 2011	January 30, 2012
May 23, 2012	November 26, 2012	December 17, 2012	May 1, 2013
September 23, 2013	October 28, 2013	December 16, 2013	April 30, 2014
May 21, 2015	March 29, 2016	May 25, 2016	September 2, 2016
May 23, 2017	June 26, 2017	September 25, 2017	December 18, 2017
February 26, 2018	March 14, 2018	February 28, 2019	September 28, 2020
June 7, 2021	October 5, 2021	November 29, 2021	September 28, 2022
March 27, 2023	April 24, 2023	September 25, 2023	February 26, 2024
April 22, 2024	June 11, 2024	January 27, 2025	April 28, 2025

SYNOPSIS

APPOINTMENT OF SPECIAL CONSTABLE

The current Dangerous and Unsightly Premises Administrator recently completed the Nova Scotia Special Constable and Bylaw Enforcement Officer Certification Course and is now eligible to be appointed as a Special Constable.

While the primary objective of the administrator is to gain compliance by working with property owners, there are times when the issuance of a Summary Offence Ticket is the most appropriate course of action.

Granting Special Constable status to the Dangerous and Unsightly Premises Administrator will enhance their enforcement of the Municipal Government Act, the Solid Waste Bylaw (D-20) and the Minimum Standards for Residential Occupancies (P-4).

There is no cost to the appointment of a Special Constable.

MOTION:

That Council approve the appointment of Emily Wainwright as a special constable to enforce Part 15 of the Municipal Government Act concerning Dangerous or Unsightly Property, the Solid Waste Bylaw (D-20) and the Minimum Standards for Residential Occupancies Bylaw (P-4).

TO: Mayor Small and Members of Council

SUBMITTED BY: Andrew Fisher, Director of Planning and Economic Development

DATE: May 26, 2025

SUBJECT: Appointment of Special Constable

ORIGIN: Application to the Department of Justice by the Town of Amherst to appoint Emily Wainwright, Dangerous and Unsightly Premises Administrator, as a Special Constable.

LEGISLATIVE AUTHORITY: Nova Scotia Police Act, Section 88

RECOMMENDATION: That Council approve the appointment of Emily Wainwright as a special constable to enforce Part 15 of the Municipal Government Act concerning Dangerous or Unsightly Property, the Solid Waste Bylaw (D-20) and the Minimum Standards for Residential Occupancies Bylaw (P-4).

BACKGROUND: The current Dangerous and Unsightly Premises Administrator recently completed the Nova Scotia Special Constable and Bylaw Enforcement Officer Certification Course and is now eligible to be appointed as a Special Constable.

DISCUSSION: The primary objective of the administrator is to gain compliance by working with property owners; however, there have been times where voluntary compliance has not been achieved and the next course of action would be to issue a Summary Offence Ticket.

Granting Special Constable status to the Dangerous and Unsightly Premises Administrator will enhance enforcement of the Municipal Government Act, the Solid Waste Bylaw (D-20) and the Minimum Standards for Residential Occupancies (P-4) by enabling the issuance of Summary Offence Tickets for non-compliance.

FINANCIAL IMPLICATIONS: There is no cost to the appointment of a Special Constable.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications.

ENVIRONMENTAL IMPLICATIONS: There are no environment implications.

COMMUNITY ENGAGEMENT: There is no community engagement required at this time.

ALTERNATIVES: Do not appoint a Special Constable at this time.

ATTACHMENTS: None



SYNOPSIS

EXTENDED PRODUCER RESPONSIBILITY

Extended Producer Responsibility for packaging, paper products, and packaging like products regulates industry responsibility for both the operational and financial management of select recyclable products, commonly found in the blue bag system.

On February 26th, 2025, the Town of Amherst accepted the initial offer from Circular Materials in the amount of \$3.75 per stop, per month, for 3,693 stops, pending final review of the financial implications and legal review of the Master Service Agreement and Statement of Work.

On April 9th, 2025, staff submitted updated contract & administrative cost information to Circular Materials requesting a review of the initial compensation offer. On April 15th staff received a revised offer from Circular Materials in the amount of \$4.08 per stop, per month for 3,693 stops.

Municipalities are now tasked with making the following decision:

1. Opt-in: The Town of Amherst would enter into an agreement with Circular Materials to provide the services (collection, education & customer service). The Town of Amherst would receive financial compensation for providing the services.
2. Opt-out: Opting out of the program would mean that all services related to the curbside recycling program are no longer the responsibility of the Town (collection, education, & customer service).

MOTION:

That Council approve the attached agreement with Circular Materials to accept compensation for the delivery of curbside collection services and authorize the Mayor and CAO to sign the agreement, subject to minor non-substantive revisions that may be required.

TO: Mayor Small and Members of Council

SUBMITTED BY: Brenda Rioux, Solid Waste Education & Contract Coordinator

DATE: May 26, 2025

SUBJECT: Extended Producer Responsibility (EPR)

ORIGIN: Release of provincial regulations on EPR requiring municipalities to opt in or out of the program.

LEGISLATIVE AUTHORITY: Nova Scotia Environment Act, Chapter 1 Section 102

RECOMMENDATION: That Council approve the attached contract with Circular Materials to accept compensation for the delivery of curbside collection services.

BACKGROUND: Extended Producer Responsibility (EPR) for packaging, paper products, and packaging like products (PPP) regulates industry responsibility for both the operational and financial management of select recyclable products. In Nova Scotia, EPR for PPP will include materials that are commonly found in the blue bag system.

DISCUSSION: On February 26th, 2025, the Town of Amherst accepted the initial offer from Circular Materials in the amount of \$3.75 per stop, per month, for 3,693 stops, pending final review of the financial implications and legal review of the Master Service Agreement and Statement of Work.

On April 9th, 2025, staff submitted updated contract & administrative cost information to Circular Materials requesting a review of the initial compensation offer. On April 15th staff received a revised offer from Circular Materials in the amount of \$4.08 per stop, per month for 3,693 stops.

Municipalities are now tasked with making the following decision:

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2. Opt- out: Opting out of the program would mean that all services related to the curbside recycling program are no longer the responsibility of the Town (collection, education, & customer service).





AMHERST TOWN COUNCIL

RFD# 2025054

Date: May 26, 2025

FINANCIAL IMPLICATIONS: Circular Materials is offering the Town of Amherst the following compensation for curbside collection services: **\$4.08 per stop, per month**, for **3,693 stops** for the term from **December 1, 2025, to March 31, 2028**, with **two one-year extension options**. Additionally, the compensation for promotion and education, consistent across all communities, includes an annual top-up of **\$1.50 per stop per year**.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications.

ENVIRONMENTAL IMPLICATIONS: Expansion of the blue bag recycling program.

COMMUNITY ENGAGEMENT: There is no community engagement required at this time.

ALTERNATIVES: Opt- out of EPR for PPP and remove all costs associated with recycling collection from the budget.

ATTACHMENTS: None



Internal Committee Report

Planning Advisory Committee

May 2025

The Planning Advisory Committee did not meet in May.

The next meeting of the Planning Advisory Committee is scheduled for Monday, June 2nd, 2025 at 4:30 p.m. in Town Hall Council Chambers.

Internal Committee Report

Amherst Board of Police Commissioners

May 2025

The Amherst Board of Police Commissioners met on Tuesday, May 13, 2025 at 3:00 p.m. in Town Hall Council Chambers.

Newly appointed Commissioner George Baker was given his official oath.

The Chief provided an update on the Safe Approach and Rescue Vehicle, and reviewed his monthly report.

The next meeting is scheduled for Tuesday, June 17, 2025 at 3:00 p.m. in Town Hall Council Chambers.

External Committee Report

YMCA of Cumberland

May 2025

Monthly General Overview

IYS

Grand opening took place April 30, 2025.

The last of the seven positions has been filled with an anticipated start date of June 16, 2025.

Fund Development

Give the Gift of Camp Campaign has raised \$18,448.00 to date.

Community Development

The team has relocated to 2 Albion Street.

Governance Issues

No governance issues.

Financial Issues

No financial issues

Requests to Council

None, but offer to present to Council at a future meeting.

Service Delivery Capacity

None, recruiting for position vacancies but no issue with service delivery.

Currently interviewing for Summer Student Positions.

External Committee Report

Northern Region Solid Waste

May 2025

Monthly General Overview

Northern Region Committee Update

The Northern Region Committee met virtually on May 16, 2025.

Extended Producer Responsibility

Circular Materials has extended the deadline for municipalities to confirm council approval of the opt-in decision. The initial deadline of May 16th, 2025 has been extended to June 20th.

External Committee Report

L.A. Animal Shelter

May 2025

I am very pleased to announce that the staff and “residents” (approximately 11 dogs, 24 cats and 49 kittens) moved into the new facility between the 9th and 12th of May. Everything appeared to go well with this transition with several volunteers assisting. An official opening is being planned for the near future.

April resulted in 16 dogs and 26 cats being adopted, as well as 5 “Moms last litter” cats being returned to their owners.

Fundraising remains a consistent priority for the L.A. Animal Shelter. The recent Tea Party at Dayle’s Grand Market and the Annual Yard Sale at the Curling Club being huge successes. It should be noted that the final building fund installment from the Town of Amherst was greatly appreciated by the Board of Directors. It’s expected that the final cost will be close to if not on budget.