



Town of Amherst
Special Council Meeting
Agenda

Date: **Tuesday, May 3, 2022**
Time: **4:15 pm**
Location: **Council Chambers, Town Hall**

	Pages
1. CALL TO ORDER	
2. REQUEST FOR DECISION	
2.1. NSFM Response to New Provincial Property Tax - MacDonald	1 - 2
2.2. Letter of Support for Amherst 2 Wind Project - MacDonald	3 - 4
2.3. Approval of Application for Provincial Capital Assistance Funding - MacDonald	5 - 7
3. ADJOURNMENT	

MEMO

TO: Mayor Kogon & Members of Council
FROM: Jason MacDonald, CAO
DATE: May 3, 2022
RE: NS Non-Resident Deed Transfer and Property Tax

At the April COW Council was provided a memo outlining the new NS Non-Resident Deed Transfer and Property Tax. Many municipal units are opposed to this tax for multiple reasons, such as:

1. The new taxes will negatively impact our economy
2. The taxes will impact many former Nova Scotians who wish to maintain roots in our province
3. The new taxes will not help alleviate the house shortage currently being experienced
4. The new taxes are a provincial intrusion on the municipal property tax system.

NSFM executive is intending to meet at their conference this week and will likely send a letter to Premier Houston outlining the above concerns in more detail. Staff recommend that Council send a similar letter outlining our concerns.



May 3, 2022

Honourable Tim Houston
One Government Place – 7th floor 1713 Barrington Street
Halifax, Nova Scotia B3J ZA4
Via Fax: 902-424-0667

Dear Premier Houston:

The Council of the Town of Amherst discussed the proposed non-resident Provincial property tax; and the proposed non-resident Provincial deed transfer tax announced as part of the Province's 22/23 budget. Council understands that the initiative's stated intent is to make housing more attainable and available. However, no information and data has been made publicly available that clearly defines the problem; or demonstrates how the initiative will solve it. These proposed initiatives should be abandoned so that alternative and refined measures can be developed with insight provided by municipalities; relevant business sectors and associated business associations such as Real Estate and Tourism; and the community.

There are many other reasons why Council opposes the initiative:

1. The annual \$2.00 per \$100 rate is excessive. While the Town of Amherst has some non resident property owners, the largest impact will come from the large non-resident seasonal property owners from our neighbor in Cumberland. Those residents shop, purchase services within our town during the months of May-October. The impact on our local businesses will be huge, and they have already struggled the past 2 years due to Covid restrictions.
2. The Province is encroaching into the municipal tax base with this form of direct provincial property taxation. Property tax room will be lost to municipalities that already rely heavily on property taxation and do not have authority to levy income or other more progressive taxes.
3. If the initiative is intended to address housing supply, then the funding raised should be directed to the creation of housing supply and should remain in the municipality where it is collected to be invested in projects that will see an increase in attainable and affordable housing.
4. The Council does not anticipate that the properties impacted in our municipality are aligned with the stated attainable housing goals. In other words, most properties sold as a result of the new \$2.00 per \$100 tax rate are not likely to be properties relevant to the stated goal.
5. Council is also concerned that new construction activity being planned by non-residents will be cancelled. The Council does support the goal of increasing the amount of attainable housing in our Municipality, and in the Province. Your government's increased focus on this core function is positive however we feel this new taxation plan will create further problems.

Sincerely,

Mayor David Kogon, MD



SYNOPSIS

Amherst 2 Wind Project

Capstone Infrastructure Corporation has made a presentation to Amherst Town Council regarding their submission to construct a large-scale wind energy project north of the Town of Amherst known as the “Amherst 2 Wind Project”.

The Town of Amherst has a long history of supporting wind energy including the facilitation of what is now known as the Amherst 1 Wind Project located approximately 1-3 kilometers north west of the Town. We are also the proud owner of a small-scale wind turbine at our waste water treatment facility in the same area.

Amherst Town Council would generally be supportive of the Amherst 2 Wind Project subject provided that:

1. The distance of the turbines from the Town boundary would be at least the same distance as the turbines in the Amherst 1 Wind Project, and that if the turbines in Amherst 2 are larger or higher, that they would be located further away at a similar height to distance ratio.
2. The all applicable Federal and Provincial health and environmental regulations are complied with.
3. That an acceptable decommissioning plan is in place.
4. That an acceptable construction plan is in place, that does not utilize Town streets, or in the event that Town streets are required to be utilized that a street access utilization plan is developed with, and is approved by, the Town. Such a plan would include scheduling and daily street cleanup and potential repair requirements.
5. That a local flora and fauna study is completed and complied with.

MOTION:

That Council authorize the CAO to send the attached letter to Capstone Infrastructure Corporation for inclusion in their submission for a wind generation project north of Amherst.



May 4, 2022

To whom it may concern

RE: Capstone Infrastructure Corporation Amherst 2 Wind Project

Capstone Infrastructure Corporation has made a presentation to Amherst Town Council regarding their submission to construct a large-scale wind energy project north of the Town of Amherst known as the "Amherst 2 Wind Project". Capstone Infrastructure Corporation has asked that the Town provide a letter of support for their project.

The Town of Amherst has a long history of supporting wind energy including the facilitation of what is now known as the Amherst 1 Wind Project located approximately 1-3 kilometers north west of the Town. We are also the proud owner of a small-scale wind turbine at our waste water treatment facility in the same area.

Amherst Town Council would generally be supportive of the Amherst 2 Wind Project subject provided that:

1. The distance of the turbines from the Town boundary would be at least the same distance as the turbines in the Amherst 1 Wind Project, and that if the turbines in Amherst 2 are larger or higher, that they would be located further away at a similar height to distance ratio.
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4. That an acceptable construction plan is in place, that does not utilize Town streets, or in the event that Town streets are required to be utilized that a street access utilization plan is developed with, and is approved by, the Town. Such a plan would include scheduling and daily street cleanup and potential repair requirements.
5. That a local flora and fauna study is completed and complied with.

Sincerely,

Mayor David Kogon, MD



SYNOPSIS

Provincial Capital Assistance Program

The Provincial Capital Assistance Program is now accepting applications for funding.

In February 2022 a heavy intense rainfall, combined with mild temperatures and rapid snowmelt caused a number of flooding events throughout Town. Two areas in particular; South Albion Street near Industrial Park Drive and the Donald Avenue, Ralston Place and Dickey Street area were notably impacted by the storm. In order to address and minimize the potential of future flooding in these areas a stormwater management study needs to be completed. The study, in general, will provide staff with the following information;

- What was the root cause of the flooding?
- What are our options to fix the issue?
- How much will this work cost?

This project fits the criteria for 50% funding under the Provincial Capital Assistance Program. The value of the project is approximately \$50,000. The study would be completed in 2022 with potential construction / mitigation efforts likely to take place in the 2023 construction season, subject to future Council approval for specific project funding.

Approval of the application for funding does not commit council to all or any part of the projects should the application not be successful.

MOTION:

That Council approve of the Provincial Capital Assistance Program funding application for a \$50,000 project for a storm water management study, and authorize the CAO to submit the application on behalf of the Town.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Aaron Bourgeois, Director of Operations

DATE: May 3, 2022

SUBJECT: Stormwater Management Study

ORIGIN: 2022/23 Capital Budget and the Provincial Capital Assistance Program (PCAP)

LEGISLATIVE AUTHORITY: MGA Section 65 The council shall adopt an operating budget and a capital budget for each fiscal year.

RECOMMENDATION: That \$50,000 be allocated in the 2022/23 general capital budget for a stormwater management study contingent upon receipt of 50% funding through the Provincial Capital Assistance Program.

BACKGROUND: In February 2022 a heavy intense rainfall, combined with mild temperatures and rapid snowmelt caused a number of flooding events throughout Town. Two areas in particular; South Albion Street near Industrial Park Drive and the Donald Avenue, Ralston Place and Dickey Street area were notably impacted by the storm. In order to address and minimize the potential of future flooding in these areas a stormwater management study needs to be completed. The study, in general, will provide staff with the following information;

- What was the root cause of the flooding?
- What are our options to fix the issue?
- How much will this work cost?

DISCUSSION: Staff have submitted the PCAP funding application and if approved staff will engage the services of an engineering consultant to complete the stormwater management study.

FINANCIAL IMPLICATIONS: \$50,000 be included in the 2022/23 general capital budget, 50% or \$25,000 would be funded by the Provincial Capital Assistance Program.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications as a result of this decision.





REQUEST FOR DECISION

RFD# 2022031

Date: May 3, 2022

ENVIRONMENTAL IMPLICATIONS: It is expected the study will provide recommendations to reduce the inflow of stormwater into the sanitary sewer system and provide recommendations to reduce the impacts of localized flooding during heavy rainfall events.

COMMUNITY ENGAGEMENT: No community engagement is anticipated.

ALTERNATIVES: Do not approve the project at this time

ATTACHMENTS: None

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

