

**TOWN OF AMHERST  
Regular Council Meeting  
Minutes**

**Date:** March 24, 2025  
**Time:** 6:00 pm  
**Location:** Council Chambers, Town Hall

**Members Present** Deputy Mayor Hal Davidson  
Councillor Charlie Chambers  
Councillor Nic Furlong  
Councillor Terry McManaman

**Members Absent** Mayor Robert Small  
Councillor Dwayne Ripley  
Councillor Kathy Wells

**Staff Present** Jason MacDonald, Chief Administrative Officer  
Aaron Bourgeois, Director, Operations  
Andrew Fisher, Director, Planning & Economic Development  
Dwayne Pike, Chief, Police Services  
Greg Jones, Director, Fire Services  
Sarah Wilson, Director, Finance  
Sean Payne, Corporate Communications Officer  
Natalie LeBlanc, Municipal Clerk

**1. CALL TO ORDER**

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

**2. TERRITORIAL ACKNOWLEDGMENT**

Deputy Mayor Davidson gave the Territorial Acknowledgement.

**3. APPROVAL OF AGENDA / ACCEPTANCE OF MINUTES**

**3.1 Approval of the Agenda**

**Moved By Councillor Furlong  
Seconded By Councillor Chambers  
To approve the agenda as circulated.**

**Motion Carried**

**3.2 Acceptance of Minutes - February 24, 2025 Regular Council**

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

**4. REQUESTS FOR DECISION**

**4.1 Accessibility, Inclusion, Diversity and Equity (AIDE) Committee Strategic Plan**

**Moved By Councillor Furlong  
Seconded By Councillor Chambers  
That Council approve the 2025 Accessibility, Inclusion, Diversity and Equity (AIDE) Strategic Plan.**

**Motion Carried**

**4.2 Accessibility, Inclusion, Diversity and Equity (AIDE) Committee Terms of Reference**

**Moved By Councillor McManaman  
Seconded By Councillor Furlong  
That Council approve the new Terms of Reference for the combined Accessibility, Inclusion, Diversity and Equity Advisory Committee, and further approve the repeal of the Accessibility Advisory Committee Terms of Reference, the Inclusion, Diversity and Equity Committee Terms of Reference and the Poverty Reduction Advisory Committee Terms of Reference.**

**Motion Carried**

**TITLE: ACCESSIBILITY, INCLUSION, DIVERSITY AND EQUITY (AIDE) ADVISORY COMMITTEE TERMS OF REFERENCE**  
**SECTION: EXECUTIVE OPERATIONS**  
**POLICY NO: 10350-30**

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

### 1.0 BACKGROUND

Under the Nova Scotia Accessibility Act (NSAA) and the Nova Scotia Dismantling Racism and Hate Act (2022) the Town of Amherst is required to appoint a Committee on matters of Accessibility, Inclusion, Diversity and Equity to provide input on accessibility and equity matters within the Town of Amherst.

### 2.0 PURPOSE

The Accessibility, Inclusion, Diversity and Equity Advisory Committee (AIDE Advisory Committee) assists Town Council in fulfilling its responsibilities relating to identifying, preventing and eliminating barriers to people with disabilities, underserved and underrepresented populations and to address systemic hate, inequity and racism in municipal programs, services, initiatives and facilities. The AIDE Advisory Committee plays a pivotal role in helping the Town of Amherst become a barrier-free community while ensuring obligations under *An Act Respecting Accessibility in Nova Scotia (2017)* and the *Nova Scotia Dismantling Racism and Hate Act 2022* are met, and to assist in creating a community of equity, inclusion and wellbeing for all.

### 3.0 DEFINITIONS

3.1 The definitions in the Nova Scotia Accessibility Act / Nova Scotia Dismantling Racism and Hate Act 2022 will supersede any and all definitions in this policy.

3.2 Barrier means anything that hinders or challenges the full and effective participation in society of person with disabilities, including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

3.3 Council means the Town Council for the Town of Amherst.

3.4 Disability includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability, that, in interaction with a barrier, hinders an individual's full participation in society.

3.5 Hate means provocation, hostility or intolerance by means of threats, harassment, abuse, incitement or intimidation motivated by the actual or perceived race, religion, national origin, ethnicity, gender, gender identity, gender expression, disability or sexual orientation of any person.

3.6 Racism means the discrimination or antagonism by, or the prejudice of, an individual, community or institution against a person or people based on the person's or people's membership or perceived membership in a racial or ethnic group, and having the power to carry out that discrimination, antagonism or prejudice through institutional policies and practices that shape cultural beliefs and values of a society.

### 4.0 ACCESSIBILITY, INCLUSION, DIVERSITY AND EQUITY (AIDE) ADVISORY COMMITTEE

#### 4.1 Role

The AIDE Advisory Committee shall:

4.1.1 Advise Council on the preparation, implementation, and effectiveness of its AIDE Plan. In accordance with the two Acts. The plan must include:

- i. A report on measures the municipality has taken and intends to take to identify, remove and prevent barriers;
- ii. Information on procedures the municipality has in place to assess any proposed policies, programs, practices, and services and/or any proposed enactments or by-laws for their impact on equity and accessibility for people; and
- iii. Any other prescribed information.

4.1.2 Review and update its AIDE plan at least every three years, in accordance with the Acts.

4.1.3 Consult with the community on accessibility and equity in the town of Amherst.

4.1.4 Advise Council on the impact of Town of Amherst policies, programs, and services on people of equity deserving groups and those with disabilities.

4.1.5 Review and monitor existing and proposed Town of Amherst by-laws to promote full participation of equity deserving groups and people with disabilities, in accordance with the Acts.

4.1.6 Identify and advise on the accessibility of existing and proposed municipal services, facilities and infrastructure.

4.1.7 Advise and make recommendations about strategies designed to achieve the objectives of the Town's AIDE Plan.

4.1.8 Receive and review information from Council and its committees, and make recommendations, as requested.

4.1.9 Monitor federal and provincial government directives and regulations.

**4.2 Membership**

4.1.10 In accordance with the Act, at least half of the Committee membership must be people with disabilities or represent organizations that represent people with disabilities with preference for the former.

4.1.11 All members must adhere to and abide by the NS Code of Ethics Policy.

4.1.12 When making appointments to the Committee, Council will give consideration to representation from different sectors of the community including equity deserving groups.

4.1.13 Appointees shall possess knowledge and understanding of equity and accessibility related issues and services currently being provided by the community.

4.1.14 The Committee shall have up to 10 voting members that includes:

- 2 Town of Amherst Council members as appointed by Council
- 7 community members as appointed by Council
- 1 Amherst Youth Town Council (AYTC) member as appointed by Council

Town of Amherst staff will be non-voting members.

**4.3 Terms of Appointment**

4.3.1 The initial appointments will be for one-year terms, with further appointments made for up to two years to ensure knowledge is retained on the Committee

4.3.2 AYTC members may be appointed for one or two-year terms.

4.3.2 The Chair and Vice Chair shall be elected by the Committee at the first meeting annually.

**5. OTHER**

5.1 The Committee shall meet at least quarterly but may meet more frequently as required.

5.2 Meetings of the committee shall be open to the public; however, they are subject to the provision of Section 22 of the Municipal Government Act with respect to closed session meetings.

5.3 The Committee provides open avenues of communication to stakeholders and Council.

5.4 The Committee may establish Working Groups to explore specific issues related to the accessibility plan and/or to other responsibilities, subject to staff capacity. Members of the Working Groups may consist of additional community members.

5.5 Meeting shall convene at 4:00 p.m. on the day selected, unless otherwise specified.

5.6 The Committee and its members shall follow the rules of order as set out in the Town of Amherst Proceedings of Council Policy #10350-24.

**6. TERMS OF REFERENCE REVIEW**

The Committee will review its Terms of Reference annually and make any recommendations to Council as the Committee deems appropriate.

**7. REFERENCES**

- 7.1 Bill No. 59 – Accessibility Act, Chapter 2 of the Act of 2017.
- 7.2 Nova Scotia Dismantling Racism and Hate Act 2022.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Director, Community Living	Adhere to the Strategic Plan, make recommendations to Council when required. Review Terms of Reference annually.
CAO	Appoint non-voting staff members to the Committee
Council	Appoint Council, AYTC and citizen members to the Committee, consider recommendations from the Committee.
Clerk	Schedule meetings, advertise for citizen members.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Clerk, LeBlanc	Council	

Minutes reference date:

**4.3 Themed Crosswalks Policy**  
**Moved By Councillor McManaman**  
**Seconded By Councillor Chambers**  
**That Council approve the new Themed Crosswalk Policy, and further that staff consult with our African Nova Scotian Community and our Indigenous Community to determine a location for their themed crosswalks.**

**Motion Carried**

**TITLE: THEMED CROSSWALK POLICY**  
**SECTION: FACILITIES MANAGEMENT**  
**POLICY NO:**

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**PURPOSE**

The purpose of this policy is to provide guidance as to how and when themed crosswalks on Town of Amherst owned or controlled properties shall be requested and permitted.

**POLICY STATEMENT**

All crosswalk themes shall have significance to, and provide benefit to the Town of Amherst and its citizens.

The crosswalk paintings shall not:

- Represent illegal activities
- Promote hate
- Be a political advertisement
- Cause, abet or stimulate civic disorder
- Be commercial in nature
- Be otherwise inappropriate in the opinion of the Town
- Represent or infer that the Town is a sponsor or proponent on the content or representation of the crosswalk.

**CONDITIONS**

**1 LOCATIONS**

The Town of Amherst has six crosswalks in the downtown core that will be considered as themed crosswalks, four on East Victoria Street, one on Church Street and one on Havelock Street.

**2 INSTALLATION AND UPKEEP OF CROSSWALKS**

The installation and upkeep is to be managed by the Town of Amherst only.

**3 REQUESTS FOR ADDITIONAL CROSSWALKS**

- The painting of crosswalks by individuals or groups is not permitted on an ad hoc basis.
- Requests from individuals or groups to have further themed crosswalks, can be brought forward as a request to alter this policy.

**4 DISCLAIMER**

The Town reserves the right to refuse any application which it deems inappropriate.

**APPENDIX A – Approved Themed Crosswalks**

**Veterans**

East Victoria Street (1) at Havelock Street intersection and (2) Church Street intersection crossing Victoria Street

**Pride**

East Victoria Street in front of Town Hall

**African Nova Scotia**

Downtown – to be determined in consultation with our African Nova Scotia Community.

**Indigenous**

Downtown – to be determined in consultation with our Indigenous Community.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Director, Community Living	Ensure the guidelines of this policy are clear to community organizations.
Council	Continue to encourage and support the inclusive and equitable approval of this policy

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Director, Community Living, Bristol	Council	

**4.4 Fireworks**  
**Moved By Councillor Chambers**  
**Seconded By Councillor McManaman**  
**That Council approve \$20,000 in the 2025/26 operating budget to include \$10,000 for Canada Day fireworks to be held at the Robb Complex and \$10,000 for New Years Eve fireworks to be held at the Amherst Stadium.**

**Motion Carried**

**4.5 Transit Feasibility Study**  
**Moved By Councillor Furlong**  
**Seconded By Councillor McManaman**  
**That Council approve a transit feasibility study for the Town of Amherst.**

**Motion Carried**

**4.6 Industrial Park Land Sale Policy**  
**Moved By Councillor McManaman**  
**Seconded By Councillor Chambers**  
**That Council approve the new Industrial Park Land Sales Policy and the amended Sale of Usable Town Owned Lands Policy.**

**Motion Carried**

**TITLE: Industrial Park Land Sales Policy**  
**SECTION: Facilities Management**  
**POLICY NO: 2300-04**

**APPROVAL DATE: \_\_\_\_\_ CAO Signature: \_\_\_\_\_**

**PURPOSE**

1. To provide guidance and authority to the Chief Administrative Officer (CAO) for the sale of industrial-use land within the Town of Amherst, specifically in the Industrial Zone, in alignment with broader economic development goals.
2. Provide flexibility to the CAO to sell or retain industrial land based on market conditions and future development needs, with all land sold at its appraised value, or at a price established by Council.
3. To ensure that the sale of lots in the Amherst Industrial Park can occur in a timely manner needed to ensure sales are not impeded by undue process.

**POLICY**

The Town of Amherst is committed to fostering economic growth and development by ensuring timely sale of industrial land to attract new businesses. The CAO will be authorized to sell Town owned industrial lots at their appraised value, or at a price established by Council.

**APPLICATION**

The CAO will have authority to sell industrial lands in the Industrial Zone under the following conditions:

1. The proposed development meets the criteria of the Amherst Land Use Bylaw and Municipal Planning Strategy.
2. The sale is valued at the appraised value of the subject property, on a cost per square foot basis. The sale price shall be based on market value established by a third-party appraisal completed no more than 36 months prior to the sale, or a price established by Council.
3. The Purchase and Sale Agreement shall include a Site Development Proposal and a Buy-Back Agreement.
4. The Buy Back Agreement shall stipulate that the Town may repurchase the property if construction is not commenced within twenty-four months from the closing date.
5. On a first come / first served basis, except where multiple offers exist on the same property, the CAO, at their sole discretion, may evaluate the Site Development Proposal.
6. The CAO will exercise sole discretion over the timing and conditions of the sale of industrial lots, and may refer a sale to Council at their discretion.
7. All sales will be reported to Council at the next scheduled Committee of the Whole meeting.
8. All revenue will be deposited in a Capital Reserve account as per the Municipal Government Act.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Economic Development Officer	Promote the sale of lots in the Industrial Park and any expansion thereof.
CAO	Negotiate and execute necessary agreements related to the sale of lots

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Fisher, Director of Planning & Economic Development	Council	

Minutes reference date:

**TITLE:** Sale of Usable Town Owned Lands  
**SECTION:** Facilities Management  
**POLICY NO:** 2300-01

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**PURPOSE**

To establish a policy on the sale of surplus usable Town owned land. For the purposes of this policy, Usable shall mean:

All Town owned property that meets the requirements of the Subdivision Bylaw, Municipal Planning Strategy and Land Use Bylaw, and is not required for Town use.

**POLICY**

The Town of Amherst shall make available for sale usable property which Council deems, from time to time, to be surplus to its needs.

**Except in the case of properties located in the Industrial Zone**, the sale of property will be undertaken by either public tender, public auction, commission arrangement with local real estate firms, and/or by the Town posting the property for sale. The minimum asking price to be stipulated will be based on the appraised value for the property, prepared by an appraiser licensed and certified to practice in Nova Scotia and will be approved by Council before the land is listed for sale.

Any sale at a price less than the asking price must receive prior Council approval and Council may consider any offer presented after public tender.

For sale by public auction, Council will set a minimum price.

**Property sold on Town owned lands located in the Industrial Zone shall conform to the Industrial Park Land Sales Policy.**

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Director, Planning & Economic Development	Property sale facilitation

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
To add the stipulations that property sold on Town owned lands located in the Industrial Zone shall conform to the Industrial Park Land Sales Policy.	Fisher, Director of Planning and Economic Development	Council	

Minutes reference date: August 17, 1992: January 20, 1997 December 13, 1999 : October 24, 2005 September 25, 2006

**4.7 Community Support Grants Policy  
 Moved By Councillor Chambers  
 Seconded By Councillor Furlong  
 That Council approve the amendments to the Community Support Grants Policy.**

**Motion Carried**

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

**APPROVAL DATE:** October 30, 2023 **CAO Signature:** \_\_\_\_\_

**POLICY STATEMENT**

- a. The Community Support Grants Policy guides the allocation of financial and in-kind contributions to non-profit or charitable organizations that are based in the Town of Amherst and are providing services that in the opinion of Council, are of a benefit to the residents and businesses of the Town. Applicants and Groups that actively support inclusion, diversity, accessibility and equity will be given priority consideration as will those applications that enhance community well-being and increase the social determinants of health, such as, but

not limited to food insecurity, affordable housing, early childhood development, education, social inclusion and non-discrimination of the citizens of Amherst

- b. This program does not govern the following, which are separately administered:
  - i. Tax Exemption for Non-Profit Organizations (full and partial tax exemption by-laws);
  - ii. Residential Property Tax Rebates (low-income homeowners)

## POLICY OBJECTIVES

The objectives of this policy are:

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

### 1. SCOPE

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

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

### 2. EXCLUSIONS

The following are exclusions from the grant program:

- a. While Council reserves the right to, it is not the intent of this policy to fund activities of organizations that are clearly within the mandate of the Government of Nova Scotia (hospitals, medical programs, treatment services or social services programs) or the Government of Canada (e.g., health, social services)
- b. The Town of Amherst will not consider requests received as part of general (mass) mailing or telemarketing campaigns
- c. Funding applications will not be considered from the following:
  - i. Businesses;
  - ii. Provincial Government organizations;
  - iii. School Boards or quasi government organizations;
  - iv. Non-profit organizations for the purpose of funding accumulated deficits;
  - v. Any organization for the purpose of fundraising to distribute to other organizations/individuals; and
  - vi. Organizations with political affiliations.
- d. Funding will not normally be provided to religious organizations where services include the promotion or required adherence to a particular belief
- e. Funding will also not normally be provided to fundraising campaigns of national charitable organizations either directly or indirectly.
- f. Funding will not normally be provided to organizations who are planning to give proceeds of the event to another organization.

### 3. ALLOCATION OF FUNDS

Council is not obligated to:

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

### 4. GUIDELINES

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

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

### 5. PROGRAMS

The following are a list of the grants available:

#### a. Sport, Arts, and Culture

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

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

#### b. Festivals, Arts and Cultural Events Grants

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

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

**c. Organizational Equipment**

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

**d. Funding for Social Equity Initiatives**

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

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

**e. Large Scale Projects**

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

**6. APPLICATION PROCESS**

The following outlines the application process:

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

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

- a) Applications - must submit the following information
  - i. A complete Community Grant Application
  - ii. a proposed budget for the project
- b) The Town of Amherst may request additional information as deemed necessary.

**7. APPROVAL PROCESS**

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

**8. AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER**

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

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

**9. PAYMENT PROCESS**

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

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

**10. CONDITIONS**

- a. Grant recipients shall:
  - i. Make no misrepresentation on their application
  - ii. Use the grant as described in the application
  - iii. Use the funds in the year granted
  - iv. Council and/or the CAO may request an in-depth report for grants over \$5,000 at their discretion
  - v. Recipients from previous years who received over \$2,000 will be asked to complete a report detailing expenses and impact on the community or individual. This report will be sent prior to the call for applications each year. This report must be completed prior to the new application being considered.
- b. Grant recipients shall keep proper books of accounts and receipts of all expenditures related to the project and shall make them available for inspection by the Town of Amherst upon request.
- c. Non-compliance, in any aspect could result in no funding being awarded in the future year(s)
- d. Grant recipients are required to acknowledge the financial support of the Town of Amherst in all advertising, publicity, programs and signage for which funds are granted
- e. If the event/project does not occur for any reason, all grant monies must be returned

- f. Grant recipients who fail to comply with these conditions may be required to return all or partial funds to the Town of Amherst and may be deemed ineligible for Community Support Grant funding in future years.

**11. PUBLIC DISCLOSURE**

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

Application for Funding Date: \_\_\_\_\_  
**REQUEST FOR FINANCIAL SUPPORT      REQUEST FOR IN-KIND FACILITY RENTAL**

**1. ORGANIZATION INFORMATION:**

Name of Organization: \_\_\_\_\_  
 Full Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_

**2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED**      \$ \_\_\_\_\_  
 Total cost of program event or activity      \$ \_\_\_\_\_

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

\_\_\_\_\_  
 \_\_\_\_\_

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

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

\_\_\_\_\_  
 \_\_\_\_\_

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

NAME	FUNDING IF ANY

**7. How many volunteers contribute to this event or festival:** \_\_\_\_\_



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

**ROLES AND RESPONSIBILITIES**

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

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
Amendments to policy to collapse A fresh grants, streamline application process, increase CAO approval limit, inclusion of MAP requirements, rewording to ensure policy is more inclusive and promotes community well-being	Director Community Living, Bristol	Council	February 27, 2023
Amendment to policy to remove Deed Transfer reference from Poverty Funding. Rename Poverty Funding to Social Equity.	Director Community Living, Bristol	Council	April 24, 2023

			0230
Eliminate section 4 as it is exclusionary of other organizations; amend Section 9 Payment Process to eliminate the two phased payment approach as this is administratively time consuming and places undue pressure on community organizations; and amend Section 10 Conditions to include the reporting requirement for organizations who intend to reapply for future grants. This will allow for transparency on how funds are used and the impact on the community.	Director, Community Living, Bristol	Council	October 30, 2023
Change the requirement to send applications to the social equity committees from will to may	Director, Community Living, Bristol	Council	

Minutes reference date: 23 September 2013      27 October 2014      21 May 2015      25 June 2018  
24 September 2018      28 October 2019      27 January 2020      25 October 2021  
27 February 2023      24 April 2023      30 October 2023

**4.8 Installment Billing Policy  
Moved By Councillor Furlong  
Seconded By Councillor McManaman  
That Council approve the amendments to the Installment Billing Policy  
#3800-03.**

**Motion Carried**

**TITLE:               INSTALLMENT BILLING POLICY**  
**SECTION:       CORPORATE SERVICES FINANCIAL MANAGEMENT**  
**POLICY NO:      03800-03**

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**POLICY STATEMENT**

To establish a policy for the installment tax billing of real property taxes levied by the Town of Amherst under authority of Section 112 of the Municipal Government Act.

**PURPOSE:**

To provide authority and guidelines for interim tax billing.

1. In each year, an amount of the last year's assessment times one half of the tax rate levied in the previous fiscal year shall be due and payable to the Treasurer on the 31<sup>st</sup> last business day of May. These interim tax bills will be issued during the month of April of each year.
2. The rates levied against the property for the current fiscal year, less the payment made under Section 1 of this policy, shall be due and payable on a date to be determined by a resolution of Council the last business day of September. The final tax bills will be issued during the month of August each year.

Title/Role	Responsibilities
Director of Finance/Manager of Financial Services	To ensure policy is followed by staff.
Revenue Collection Officer	To ensure bills are issued twice per year.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
Policy review – update wording	Manager of Financial Services	Council	

Minutes reference dates: March 28, 2011    March 31, 2008    April 20, 2000

**4.9 Annual Performance Review Chief Administrative Officer Policy  
Moved By Councillor Chambers  
Seconded By Councillor Furlong  
That Council approve the amendments to the Annual Performance Review  
– Chief Administrative Officer Policy #10350-25.**

**Motion Carried**

**TITLE: ANNUAL PERFORMANCE REVIEW – CHIEF ADMINISTRATIVE OFFICER  
SECTION: EXECUTIVE OPERATIONS  
POLICY NO: 10350-25**

**APPROVAL DATE: \_\_\_\_\_ CAO Signature: \_\_\_\_\_**

**POLICY STATEMENT**

The Chief Administrative Officer (CAO) is the only direct employee of Council and is the connecting link between Council and municipal operations. This position derives its authority under Sections 28, 30 and 31 of the *Municipal Government Act*.

- The chief administrative officer is the head of the administrative branch of the government of the municipality and is responsible to the council for the proper administration of the affairs of the municipality in accordance with the by-laws of the municipality and the policies adopted by the council;
- The council shall communicate with its employees of the municipality solely through the chief administrative officer, except that the council may communicate directly with employees of the municipality to obtain or provide information;
- The council shall provide direction on the administration, plans, policies and programs of the municipality to the chief administrative officer; and
- No council member, committee or member of a committee established by the council shall instruct or give instruction to, either publicly or privately, an employee of the municipality.

Regular performance reviews ensure that the CAO is provided with accurate and appropriate feedback with goals for the purpose of enabling and achieving corporate objectives and improving municipal performance.

**PURPOSE**

The performance evaluation of the CAO is a valuable instrument which can serve any or all of the following purposes:

- To formally discuss the relationship between Council and the CAO;
- To ensure that there is clarity with regard to the position expectations of the CAO;
- To provide an assessment of the performance of the role, responsibilities and authority as set out in legislation, Town policy and job description;
- To set objectives and criteria for future evaluation; and
- To serve as the basis for salary adjustments.

The annual performance review is part of an ongoing performance management process by which Council and the CAO work together to plan, monitor and review the work objectives and overall contribution to the organization. This is part of a continuous process of setting objectives, assessing progress and providing on-going feedback. The annual review of the CAO's performance should include the development of measurable criteria that:

- Align with the organization's strategic direction and culture;
- Are practical and easy to understand and use;
- Provide an accurate picture of expectation and performance;
- Include a collaborative process for setting goals and reviewing performance based on two-way communication between the Council and CAO;
- Monitor and measure results (what) and behaviours (how);
- Ensure that administrative work plans support the strategic direction of the organization;
- Identify and recognize accomplishments
- Support administrative decision-making

**SCOPE**

This policy applies to the Chief Administrative Officer as the only employee of Town Council.

**POLICY**

There shall be a CAO review committee of Council to facilitate and support excellent communications and positive collaborative effort between the CAO and elected officials. The Committee will consist of the Mayor, Deputy Mayor and the most recent Deputy Mayor. Where the most recent Deputy Mayor is not a member of Council, Council shall appoint another member of Council instead.

The review will be completed by December 31 annually, or another date as mutually agreed by the Committee and the CAO. The review will provide Council with the opportunity to assess the CAO's performance for the prior year and to clarify goals and expectations for the upcoming year.

Should the review not have been scheduled by March 31 of the following year, the CAO shall initiate the scheduling of the meeting.

Scheduling the date and time of the review shall be the responsibility of the Mayor in consultation with the Committee and the CAO.

Meetings of the CAO Review Committee and any meetings of Council regarding the CAO's performance review shall be held in-camera.

The process to be followed will be as has been agreed in **section 4** of the CAO's employment contract (excerpt at Appendix 1 of this Policy).

The CAO shall be assured that any comments regarding performance shall be strictly confidential and will not be released to any other staff member or the public.

A comprehensive appraisal form based on the core competencies of the job description and annual corporate goals and priorities should be jointly developed and agreed upon by the Committee and the CAO.

The CAO shall be given sufficient time to prepare for and respond to the performance appraisal. The appraisal shall be conducted at a time that is convenient to both the Council and CAO.

Council shall convene an annual strategic planning session in the fall of each year to determine and/or confirm the Town's strategic direction for the coming year. The Town's strategic direction, as approved by Council, shall be documented and forwarded to the CAO within 30 days of the annual **strategic** planning session.

The CAO shall draft a list of goals, objectives and training requirements for discussion during the review process.

The completed appraisal document shall be signed by the Mayor and CAO and be placed in the confidential personnel file.

Council may meet periodically throughout the year to discuss performance with the CAO, to review progress achieved on goals and priorities previously established and approved by Council.

**APPENDIX 1**  
**PERFORMANCE OF DUTIES AND ANNUAL PERFORMANCE REVIEW**  
**(Excerpt from CAO Employment Contract)**

4.
  - (a) The Employee shall perform their duties in a professional manner that is expected of a CAO.
  - (b) If the Employee successfully completes the probationary period, the Town of Amherst shall perform an annual review (the "Performance Review") of the Employee's performance.
  - (c) The parties agree that clearly articulated, mutually agreed and measurable performance expectations are fundamental to an effective, efficient, and healthy employment relationship. Thus, the parties commit to using a goal-setting process for the CAO's performance evaluation. The process shall be similar to the process utilized for Town staff, and it shall commence with a goal-setting process, with specific expectations, as well as commitments by the Town, to provide the support and communications that shall provide mutual commitment to success.
  - (d) Council shall appoint a CAO Review Committee to oversee an annual Performance Evaluation and Development Plan. The objectives of the Performance Evaluation and Development plan are:
    - (e) To ensure that Council and the CAO understand the responsibilities and priorities of the position as included in the approved position description; and to provide the CAO an opportunity to discuss such responsibilities to increase efficiencies and effectiveness of the organization.
    - (f) To provide an opportunity for the Town and the CAO to dialogue on the organization's priorities, operations and objectives.
    - (g) To provide feedback to the CAO regarding the Town's evaluation as to the CAO's performance in carrying out the assigned responsibilities.
    - (h) To discuss and obtain mutual agreement for long-term objectives and goals for the CAO and the position in the organization.
    - (i) To discuss and identify both short- and long-term training requirements, based on position responsibilities and organizational objectives.
    - (j) To provide a forum to discuss the factors that are considered in the approval of salary scale increments.
    - (k) To discuss revisions to this Employment Agreement.
  - (2) It is explicitly agreed that the annual goal setting process shall result in reasonable and achievable goals along with adequate resources from the Town, to support their achievement. The goals shall be accompanied by reasonable, mutually agreed upon annual measures and indicators.
  - (3) The Town agrees that the process will be completed in writing and annually (by December 30, or at another date as mutually agreed, each year and in writing by the parties).
  - (4) The CAO Review Committee shall present Council, in an *in camera* session, with a report that summarizes its findings and recommendations.

- (5) Upon completion of its work, the CAO Review Committee is to give all documents it reviewed or generated as part of this process to the Mayor to be retained in the office of the Mayor, with a duplicate copy given to the CAO.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
<b>Mayor</b>	The Mayor will: <ul style="list-style-type: none"> <li>a. Lead and oversee the CAO performance review process;</li> <li>b. Ensure the review aligns with municipal goals and objectives;</li> <li>c. Provide feedback based on Council priorities and strategic initiatives;</li> <li>d. Work with the Review Committee and HR Director to prepare and deliver the final performance evaluation each year.</li> </ul>
<b>CAO Review Committee</b>	The CAO Review Committee will: <ul style="list-style-type: none"> <li>a. Participate fully in the annual review process;</li> <li>b. Assess performance and set goals for the upcoming year;</li> <li>c. Align the review with Council's strategic direction.</li> </ul>
<b>Chief Administrative Officer</b>	The Chief Administrative Officer will: <ul style="list-style-type: none"> <li>a. Provide self-assessment and updates on progress toward municipal objectives;</li> <li>b. Engage in the review process to discuss performance, achievements, and challenges;</li> <li>c. Implement feedback and improvement strategies as required.</li> </ul>
<b>Director, Human Resources</b>	The Director of Human Resources will: <ul style="list-style-type: none"> <li>a. Assist in facilitating the review process by providing best practices for performance evaluations;</li> <li>b. Ensure the review is conducted fairly, consistently and in compliance with applicable HR policies;</li> <li>c. Supports Council with relevant HR metrics, data and/or feedback mechanisms.</li> </ul>

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
Policy Review: correct grammar errors, update Appendix 1 to align with current CAO contract	Director, HR	Council	

**MINUTES REFERENCE DATE:** October 3, 2016

**4.10 Citizen Appointments to the Amherst Board of Police Commissioners**

**Moved By Councillor Furlong  
 Seconded By Councillor McManaman  
 That Council go into closed session as per section 22(2)(c) of the MGA.**

**Motion Carried**

**Moved By Councillor McManaman  
 Seconded By Councillor Chambers  
 That Council appoint Caprice Barbour to the Amherst Board of Police Commissioners effective April 1, 2025 to March 31, 2027, and appoint George Baker effective April 1, 2025 to March 31, 2026.**

**Motion Carried**

**4.11 Citizen Appointments to the Planning Advisory Committee**

**Moved By Councillor Chambers  
 Seconded By Councillor Furlong  
 That Council appoint Ron Wilson and Paul Diamond to the Planning Advisory Committee effective April 1, 2025 to March 31, 2027.**

**Motion Carried**

**4.12 Citizen Appointment to the North Tyndal Wellfield Advisory Committee**

**Moved By Councillor McManaman  
 Seconded By Councillor Furlong  
 That Council appoint Keith Thompson to the North Tyndal Wellfield Advisory Committee effective April 1, 2025 to March 31, 2027.**

**Motion Carried**

**4.13 Appointment to the Amherst Youth Town Council  
Moved By Councillor Chambers  
Seconded By Councillor McManaman  
That Council appoint Krissa Murray to the Amherst Youth Town Council.**

**Motion Carried**

**4.14 LiveScan Fingerprinting System Replacement  
Moved By Councillor Furlong  
Seconded By Councillor Chambers  
That Council approve \$40,000 in the 2025/2026 capital budget for the purchase of a new LiveScan system to replace the current system.**

**Motion Carried**

**4.15 Provincial Capital Assistant Program Funding Application - Waste Water Treatment Plant UV System  
Moved By Councillor Chambers  
Seconded By Councillor McManaman  
That Council approve the Provincial Capital Assistance Program funding application for an ultraviolet disinfection system for the Town's wastewater treatment facility and authorize the CAO to submit the application on behalf of the Town.**

**Motion Carried**

**4.16 Cumberland Adult Network for Upgrading (CANU) Lease  
Moved By Councillor McManaman  
Seconded By Councillor Furlong  
That Council approve the Addendum to the lease agreement between CANU and the Town, and further authorize the Mayor and CAO to sign on behalf of the Town.**

**Motion Carried**

**LEASE AGREEMENT ADDENDUM**

**THIS LEASE AMENDING ADDENDUM made this \_\_\_\_ day of \_\_\_\_\_, 2025**

**BETWEEN:**

**THE TOWN OF AMHERST**

(Hereinafter referred to as the "Landlord")

- and -

**CUMBERLAND ADULT NETWORK FOR UPGRADING**

(Hereinafter referred to as the "Tenant")

**BACKGROUND**

- A. The Landlord and tenant entered into the Lease Agreement dated April 12, 2022 for the premises located on the second floor of the Four fathers Library at 21 Acadia Street, Amherst, Nova Scotia.
- B. The Landlord and Tenant desire to amend the Lease Agreement on the terms and conditions set forth in this Lease Amending Addendum, which will take effect on April 1, 2025 with the term ending on December 31, 2026.
- C. This Agreement is the first Addendum to the Lease Agreement.

**IN CONSIDERATION OF** The landlord and tenant agreeing to amend their existing Lease Agreement, both parties agree to keep, perform, and fulfill the promises, conditions and agreements below:

**AMENDMENTS**

- 1. The Lease Agreement is amended as follows:
  - a. The addition of 3 additional rooms plus the hallway (as shown in Schedule A), totaling 564 square feet to be included in the leased space at the rate of \$10.40/ft<sup>2</sup>. The lease of this additional space represents an increase in the monthly rent of \$488.80 per month plus HST.
  - b. At any time during the Term, either the Landlord or the Tenant may terminate this additional leased space upon written notice to the other party without obligation or liability. Such termination notice shall be given at least 90 days prior to the effective date of termination. On the effective date, the Tenant shall deliver up vacant possession of the Premises in accordance with its obligations under this lease.

**NO OTHER CHANGES**

- 2. Except as otherwise expressly provided in this Agreement, all of the terms and conditions of the Lease Agreement remain unchanged and in full force and effect.

**INCORPORATION**

- 3. This Agreement incorporates and is subject to the Lease Agreement.

Signed, Sealed and Delivered  
in the presence of:

**TOWN OF AMHERST:**

Per:

\_\_\_\_\_  
Robert Small  
Mayor

\_\_\_\_\_  
Jason MacDonald  
Chief Administrative Officer

Dated: \_\_\_\_\_

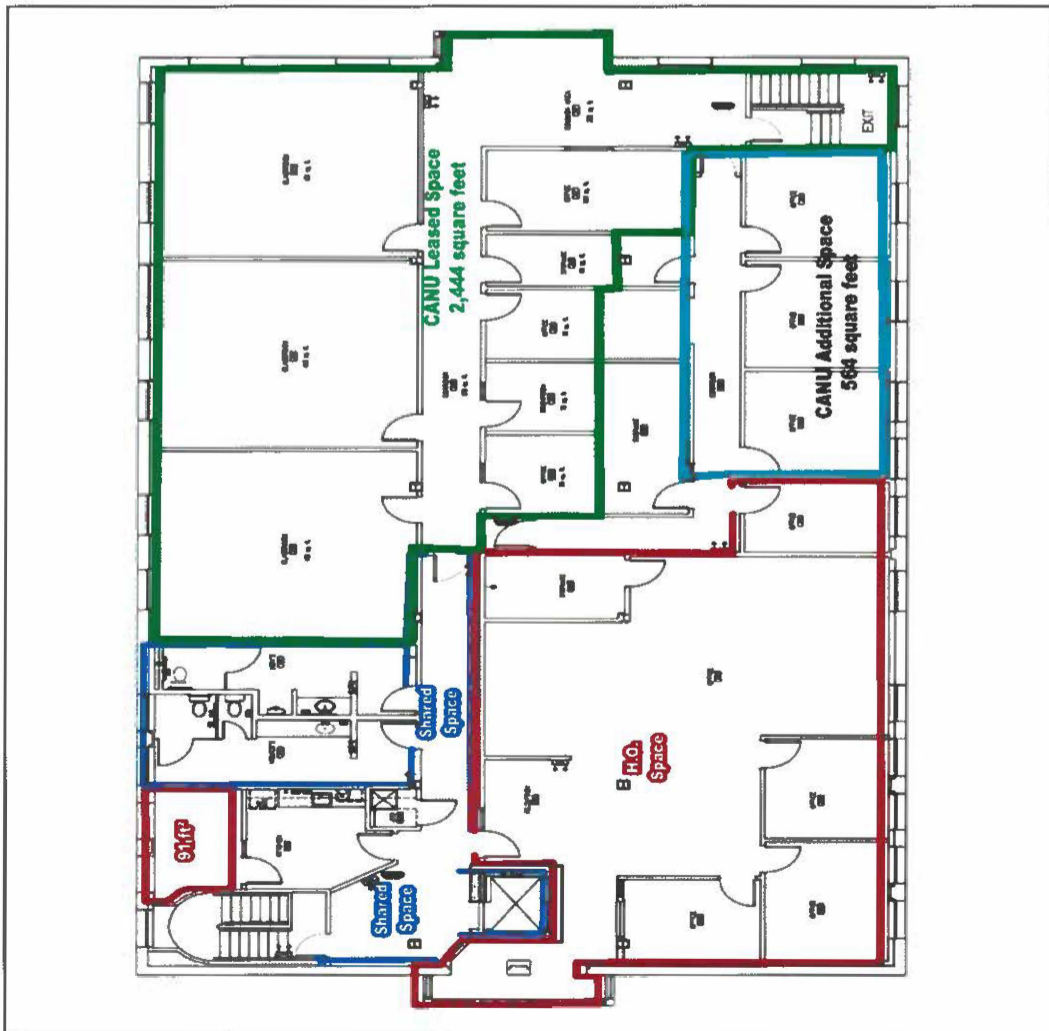
**CUMBERLAND ADULT NETWORK FOR  
UPGRADING:**

Per:

\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

**SCHEDULE A**



**4.17 3 Robie Street Development Agreement First Reading**  
**Moved By Councillor Chambers**  
**Seconded By Councillor McManaman**  
**That Council give First Reading of the development agreement for 3 Robie Street to permit the conversion of an existing community hall into an 8-unit apartment building and schedule a Public Hearing for Wednesday, April 9<sup>th</sup>, 2025 at 12:00 noon in Town Hall Council Chambers.**

**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:

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

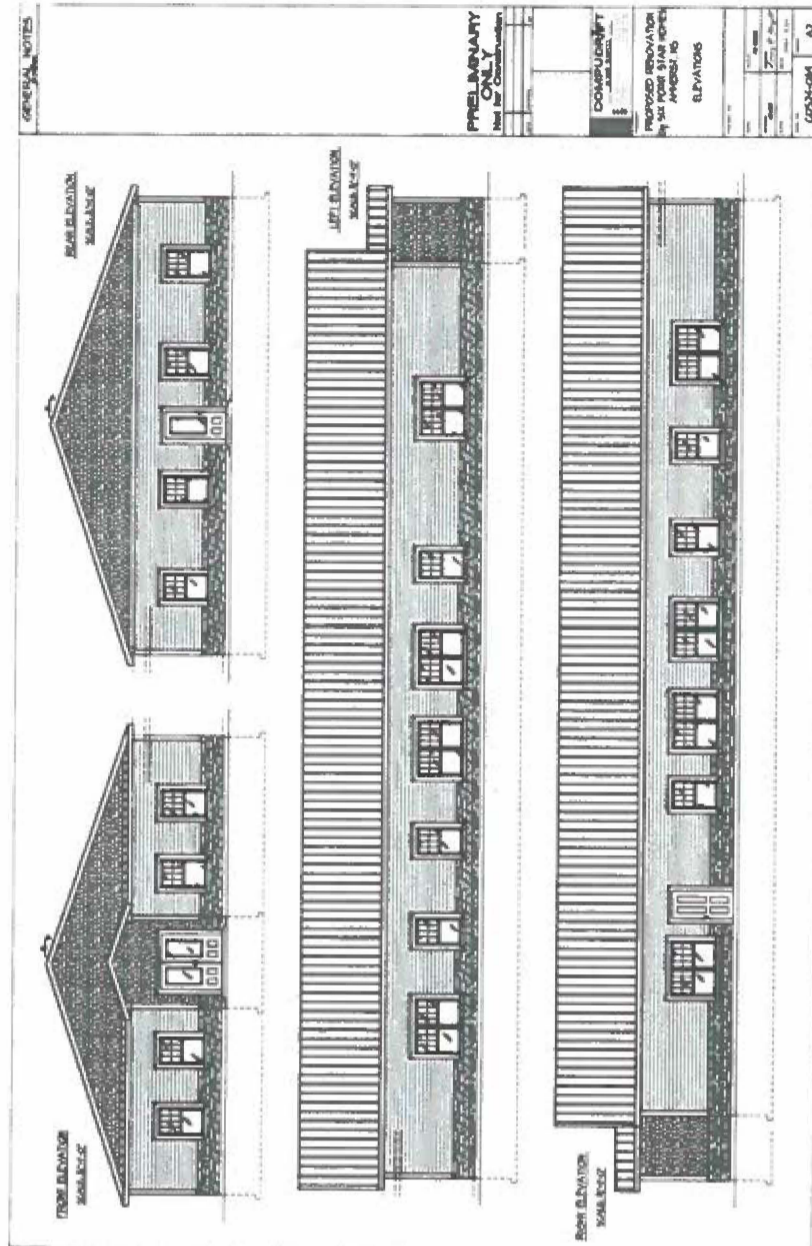
\_\_\_\_\_

\_\_\_\_\_  
Tom Mattinson, Six Point Star Homes





**Schedule D  
Elevations**



**4.18 91 Rupert Street Development Agreement First Reading  
Moved By Councillor McManaman  
Seconded By Councillor Chambers  
That Council give First Reading of the development agreement for 91  
Rupert Street to permit the construction of an 18-unit apartment building  
and schedule a Public Hearing for Wednesday, April 9<sup>th</sup>, 2025 at 12:00 noon  
in Town Hall Council Chambers.**

**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:

- (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 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

**Schedule A 91 Rupert Street, PID 25518242 - Development Agreement**

Terms and Conditions:

**3. USE OF LAND AND BUILDINGS**

- 3.0 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'.
- 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 place a privacy fence approximately 1.8 m (6 ft) along the shared property line with 85 Rupert Street and 32 Charles Street.
- 3.4 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.
- 3.5 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'.

- 3.6 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.
- 3.7 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.
- 3.8 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.

#### 4. GENERAL REQUIREMENTS

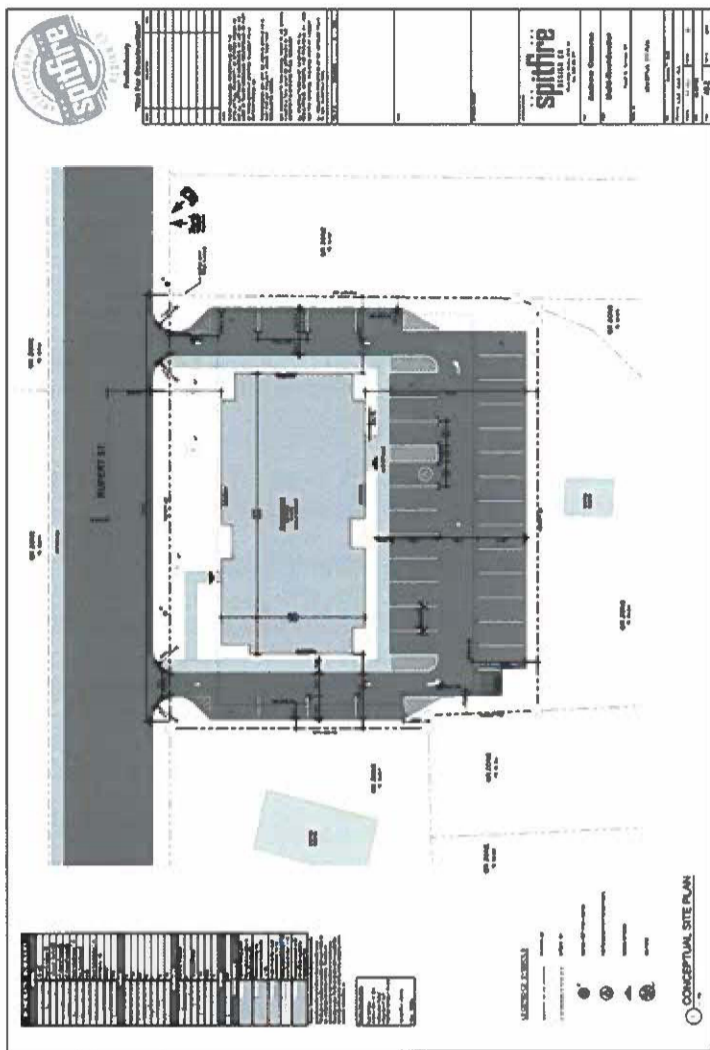
- 4.0 The Owner shall keep the Lands and building and any portion thereof clean and in good repair. All elements of the development on the Lands shall be regularly maintained and kept in a tidy state, and free from unkept materials of any kind.
- 4.1 In addition to *Part 5 – Hours of Construction* under 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

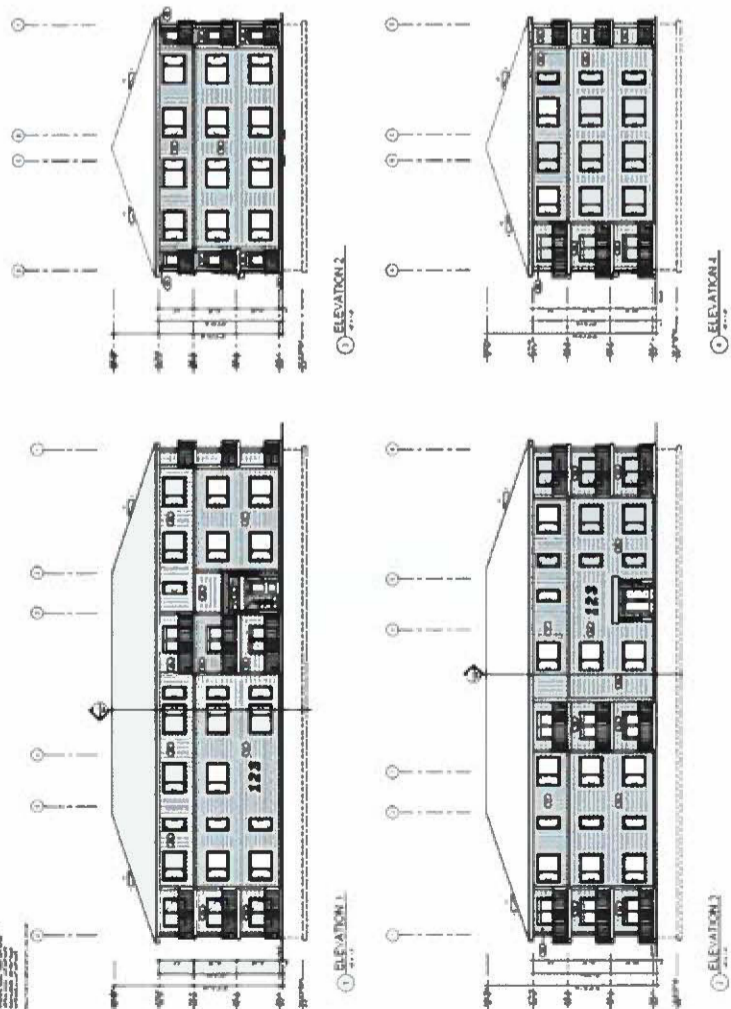
91 Rupert Street (PID 25518242)



Schedule C  
Site Plan



Schedule D  
Elevations



**5. INTERNAL COMMITTEE REPORTS**


- 5.1 **Planning Advisory Committee - Chambers**  
Information item only.
- 5.2 **Amherst Board of Police Commissioners - Furlong**  
Information item only.
- 5.3 **Audit Committee - McManaman**  
Information item only.
- 5.4 **Amherst Youth Town Council – Leah Brunt**  
Information item only.

**6. EXTERNAL COMMITTEE REPORTS**

- 6.1 **Cumberland Public Libraries - McManaman**  
Information item only.
- 6.2 **Cumberland YMCA - Chambers**  
Information item only.
- 6.3 **Northern Region Solid Waste Management - Furlong**  
Information item only.
- 6.4 **L. A. Animal Shelter - Davidson**  
Information item only.

**7. ADJOURNMENT**

There being no further business, Deputy Mayor Davidson adjourned the meeting.



Natalie LeBlanc  
Municipal Clerk



Hal Davidson  
Deputy Mayor