



Town of Amherst
Planning Advisory Committee Meeting
Agenda

Date: **Wednesday, September 25, 2024**
Time: **4:30 pm**
Location: **Council Chambers, Town Hall**

	Pages
1. Call to Order	
1.1 Territorial Acknowledgement	
“I would like to acknowledge that our gathering today is taking place in (MEEG-MA-GEE), the traditional, unceded and ancestral territory of the Mi’kmaw people. I would also like to acknowledge that Nova Scotia has another unique people. These are the Indigenous Blacks of Nova Scotia whose legacy and contributions date back over 400 years predating confederation of this land. We are all treaty people.”	
2. Approval of Agenda and Acceptance of Minutes	
2.1 Approval of the Agenda	
2.2 Acceptance of the Minutes	1 - 4
3. 19 Spring Street	5 - 109
4. 77 Station Street	110 - 156
5. 32 Park Street	157 - 157
6. Adjournment	

**Town of Amherst
Planning Advisory Committee
Minutes**

Date: September 3, 2024
Time: 4:30 pm
Location: Council Chambers, Town Hall

Members Present Ronald Wilson, Citizen Representative, Chair
Councillor Hal Davidson, Vice Chair
Councillor Leon Landry
Councillor Charlie Chambers
Creighton McCarthy, Citizen Representative
Jim Lamplugh, Citizen Representative

Staff Present Andrew Fisher, Director of Planning & Strategic Initiatives
Torben Laux, Planner
Marc Buske, Building Official
Emily Wainwright, Dangerous/Unsightly Premises Administrator
Natalie LeBlanc, Municipal Clerk
Cindy Brown, Administrative Assistant

1. Call to Order

The Chair called the meeting to order.

1.1 Territorial Acknowledgement

The Chair gave the Territorial Acknowledgement.

2. Approval of Agenda and Acceptance of Minutes

2.1 Approval of the Agenda

The Chair indicated that the legal representative for the tenant at 19 Spring Street would not be available until 5:00 p.m. and therefore asked that the agenda be amended to address 77 Station Street first.

Moved By: Councillor Davidson

Seconded By: Creighton McCarthy

That the agenda of the Planning Advisory Committee be approved as amended.

Motion Carried

2.2 Acceptance of the Minutes - July 2, 2024

The Chair called for any errors or omissions in the minutes. There being none, the minutes of the July 2, 2024 meeting of the Planning Advisory Committee were accepted as included in the agenda package.

3. Unsightly / Dangerous Premises

3.1 77 Station Street

3.1.1 Staff Report

Emily Wainwright presented the issue of 77 Station Street (PID: 25124017) of its lack of maintenance and how the building was in serious disrepair and had partly collapsed. She presented her inspection reports showing the various structural, safety and health concerns with the building.

Councillor Hal Davidson asked about the part of the report when Nova Scotia Power was called out to examine and turn off the power to the property and it mentioned pie plating. Emily Wainwright answered that is a terminology that Nova Scotia Power uses when they remove the wires going to the building and puts a metal plate over the meter.

Jim Lamplugh asked if the property owner responded to any of the notices. Emily Wainwright answered no, any work that has been done has been done by contractors hired by the Town of Amherst.

Andrew Fisher asked Emily Wainwright about the process before a building is boarded up. Emily Wainwright described the process and the challenges it presents. The Amherst Police Department has been assisting with inspections of this particular property as the building is quite large and there are many hiding places for people to conceal themselves. Andrew Fisher said that during one of these inspections a person went undetected and was trapped in the building after it was boarded up.

3.1.2 Owner / Representative Questions/Comments to PAC

Walter Wells, the property owner of 77 Station Street was in attendance. Mr. Wells told the Committee that he wishes to keep the property and will do his best to secure the building. Gordon Wells, Walter Wells son, asked the Committee why they have not seen any notices of issues with this building before, and further asked who was the representative that was receiving the notices. He also wanted to know why the power was cut to the building and why the front door was boarded up.

The Chair asked Emily Wainwright what address she sent the notices to and what was the procedure on how the notices were handled. Emily Wainwright explained how the notices are to be mailed out and posted to the property according the Municipal Government Act.

3.1.3 Complainant / Representative Questions/Comments to PAC

The complainant was not in attendance.

The Chair stated that the Planning Advisory Committee will reconvene at a later date to make a recommendation to Council.

3.2 19 Spring Street

3.2.1 Staff Report

Emily Wainwright presented the issue of 19 Spring Street (PID: 25031626) of its lack of maintenance and how the building was in serious disrepair and had partly collapsed. She presented her inspection reports showing the various structural, safety and health concerns with the building.

Councillor Charlie Chambers said he feels sorry for the tenant and worries for her safety. Creighton McCarthy asked if there was a mold issue. Emily Wainwright answered that they would have to hire a professional to determine that. Marc Buske went into detail as to why the building is unsafe for habitation.

Councillor Hal Davidson asked if the unoccupied portion of the house posing the most threat could be removed. Marc Buske said if it was done the tenant could not be in building while the work is being completed. He added that the cost to have that portion removed would more than outweigh the value of the structure, and would require jacking up the building, adding it would not be a simple process.

Councillor Leon Landry asked if the Planning Advisory Committee have the authority to order the property owner to repair the unoccupied unit. Andrew Fisher answered that under the Municipal Government Act the Committee can order a remediation of the unsightly/ dangerous property either by repair, removal or by demolition. Andrew said that before there could be a repair we would need something from a qualified professional indicating what that scope of work would be.

3.2.2 Owner / Representative Questions/Comments to PAC

The property owner Walter Wells was in attendance. Walter told the Committee that Mrs. Hutchinson has been a tenant for over 40 years, and that he lived in the now unoccupied until his recent hospitalization. Walter said it looks like there have been some windows broken and he feels that there was a tap left running.

Zachary MacMillan with Nova Scotia Legal Aid discussed with the Planning Advisory Committee that the tenant, Mrs. Hutchinson who is 95 years old would like to stay in her unit. He further stated he is aware she has no standing with the Committee as she is just a tenant but was hoping the Committee could find a solution that will work for Mrs. Hutchinson.

3.2.3 Complainant / Representative Questions/Comments to PAC

The complainant was not in attendance.

The Chair stated that the Planning Advisory Committee will reconvene at a later date to make a recommendation to Council.

3.2.4 Written Submission to PAC

Information item included as part of the agenda package.

Councillor Leon Landry left the meeting at 6:08 PM.

4. Application for Exterior Substantial Renovation of a Registered Heritage Property - 96 Church Street

Andrew Fisher presented the proposed changes to the design of the building.

Councillor Davidson expressed that he does not feel the proposed changes will take away from the architecture of the building.

Moved By: Councillor Davidson

Seconded By: Jim Lamplugh

That the Heritage Advisory Committee approve the substantial exterior alteration of the dwelling at 96 Church Street based on the sketch provided.

Motion Carried

5. Adjournment

There being no further business, the Chair adjourned the meeting.

Natalie LeBlanc
Municipal Clerk

Ron Wilson
Chair

MEMO

TO: Planning Advisory Committee

FROM: Emily Wainwright, Dangerous & Unsightly Premises Administrator

DATE: September 25, 2024

RE: Recommendation of 19 Spring Street, Amherst, NS (PID: 25031626)

Registered Owner: Walter E Wells

Issue:

The lack of maintenance over the years has left the building in a state of serious disrepair to the point that the building has now partially collapsed. As articulated in the inspection report by the Dangerous and Unsightly Premises Administrator, there are various structural, electrical, safety, and health concerns with the building.

History:

February 29, 2024	Complaint received from APD regarding the condition of the building.
February 29, 2024	Initial site visit; pictures taken and inspection report completed.
March 13, 2024	Discussed with Fire Chief on recommendations regarding structure concerns.
April 18, 2024	Notice sent to owner: <i>That the property owner completed the following by April 30, 2024:</i> <ol style="list-style-type: none"><i>1) Remove all garbage, junk, rubbish, and debris from the property, and have it properly disposed of; and</i><i>2) Dismantle all scaffolding, or submit a timeline when all work requiring scaffolding will be completed.</i>
May 3, 2024	Follow-up inspection; no progress

May 3, 2024 Order issued:

That the property owner completed the following by May 15, 2024:

- 1) Remove all garbage, junk, rubbish, and debris from the property, and have it properly disposed of; and*
- 2) Dismantle all scaffolding, or submit a timeline when all work requiring scaffolding will be completed.*

May 16, 2024 Follow-up inspection; no progress. Project awarded to contractor.

May 23, 2024 Follow-up inspection; no progress. Required work completed by Town hired contractor.

Notice to Enter issued.

May 28, 2024 Interior inspection with Building Official II, and Dangerous and Unsanitary Premises Administrator (Inspection notes provided below).

Immediate Order issued:

That the property owner completes the following immediately:

- 1) Disconnects power to the left side unit;*
- 2) Hire a qualified electrician to complete an electrical inspection, with the report being submitted back to the Administrator; and*
- 3) Secure entrances as to no longer be dangerous.*

Reached out to Diversion Support Work at the YMCA regarding remaining tenant.

Hired a qualified electrician to complete a safety report on the entire building immediately. Completed same day. Electricians shut off power to unoccupied unit.

Smoke detectors and carbon monoxide detectors were installed in the occupied unit.

Contacted Nova Scotia Power to have the power disconnected from the unoccupied unit. NS Power confirmed disconnection.

Rear entrance was secured by Town staff.

May 29, 2024 Follow-up inspection; issued “No Entry” signs on unoccupied side of the building.

Met with tenant, Social Worker from the YMCA, representative from Maggie's Place, and family friend of tenant to discuss current situation of the building. Social Worker started the process for Priority Housing through the NS Housing Authority.

May 30, 2024 Invoice received from electrician noted:
Inspection found dangerous wiring through home. Knob and tube wiring present and bare copper exposed and live. Main switch gear found to be very poor condition. Overall electrical is about a 1/10 conditions and has many hazards present.

Follow-up inspection; CAO ordered immediate maintenance of lawn.

Camille LeBlanc was hired to serve inspection report and notice of PAC to property owner.

May 31, 2024 Lawn maintenance awarded to contractor.

June 3, 2024 Follow-up inspection. Maintenance completed by Town hired contractor.

June 14, 2024 Complaint received: unsecured trailers.

June 19, 2024 Follow-up inspection; Town staff secured trailers.

June 21, 2024 Received correspondence from the current occupant's representative asking to adjourn the meeting as they were unable to attend.

July 19, 2024 Follow-up inspection; back porch was broken into. Contractor boarded up opening.

July 25, 2024 Lawn maintenance awarded to contractor.

July 30, 2024 Tenant reached out to AFD and Town Hall regarding Carbon Monoxide detector going off. The property was clear of Carbon Monoxide and it appears the detector was faulty.

August 21, 2024 Follow-up inspection from voicemail received from tenant – where the tenant heard noises coming from the vacant unit, and the front door was ajar (door was secured by tenant).

August 22, 2024 Posted Notice of Recommendation of Demolition to property.

Returned to secure front door. Noticed that the rear porch was broken into again. Secured this area.

Call from APD that witnesses saw an individual entering the building through a window. APD cleared the building. APD and I entered the occupied unit, including basement. There was visible evidence of individuals being present in the occupant's basement. Tenant mentioned that her door was ajar. It appears that individuals are attempting to gain access into the occupied space.

All 3 accessible windows on the main floor were boarded up.

August 22, 2024	Provincial Civil Constable served owner documents for the September 3, 2024 PAC meeting.

September 3, 2024	Meeting of the Planning Advisory Committee.
September 10, 2024	Received guidance from the Office of the Fire Marshal that the Town may want to take further action in the best interest of the tenant's safety.
September 12, 2024	Order to Vacate was issued, hand delivered with a resource package to the tenant and their representative, and posted to the property.
September 13, 2024	Order to Vacate was served upon the owner.
September 17, 2024	A 3 rd complaint was received regarding the subject property.
September 18, 2024	A qualified contractor was hired and completed an assessment of the building.
September 20, 2024	Mr. Wells and 3 advocates met with Town staff to discuss property.
September 23, 2024	Received Building Assessment.

May 28, 2024 – Inspection Report:

An inspection of 19 Spring Street was completed by the Dangerous and Unsanitary Premises Administrator, the Building Official II, the Amherst Fire Department Fire Chief, and a member of the Amherst Police Department on May 28, 2024. The following was noted and photographed:

- The exterior of the building is wood siding.
- The unoccupied unit appears to be vacant.

- The right unit is occupied.
- There is power running to the structure (3 meters in service).
- Extremely long grass.
- 2 closed in trailers, 1 flat bed trailer, 1 camper, 3 derelict vehicles.
- One door to the building is not secured.
- The building appears to be in a deteriorated state and unmaintained for quite some time.
- Both chimneys are in poor condition.
- The roof facing the backyard (Queen Street) is in extremely poor condition with visible holes.
- The roof is asphalt and is no longer weather tight.
- The kitchen in the unoccupied unit has collapsed into the basement.
- The oven was turned on in the unoccupied unit, but the elements had burnt out.
- A space heater was on and running in the unoccupied unit.
- A light was found toppled over in the unoccupied unit onto a mattress and papers; it appears it had charred the wallpaper on the wall in the second-floor bedroom.
- There is a hoarding situation inside the unoccupied unit with no access to egress.
- Interior walls, ceiling, and floors are damp and water leaking though various points of the roof.
- Evidence of rodents (rodent feces present).
- Strong smells of decomposing organic material and other waste.
- There is severe damage to all the ceilings in the unoccupied unit due to water.
- There is some damage to the second-floor ceiling in the occupied unit.
- There did not appear to be any working smoke detectors or carbon monoxide detectors in the building.
- The foundation of the unoccupied unit is in extremely poor condition.
- The foundation of the occupied unit appears to be in fair condition.
- Windows are in poor condition.
- The basement is relatively dry.
- Some beams in the basements have water damage and are damp.
- The basement windows on the unoccupied side unit are no longer weathertight.
- The occupied unit appears to have a newer furnace.
- The electrical system appears to be compromised as they run through the collapsed portion of the structure.
- The water lines appear to be compromised as they run through the collapsed portion of the structure.
- Water account is still active, only appears to be 1 meter.

Relevant Municipal Government Act Interpretations:

- Section 3(r)* “dangerous or unsightly” means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy, and includes property containing
- (i) ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,
 - (ii) an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,

- (iia) *an accumulation or collection of materials or refuse that is stockpiled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or*
- (iii) *any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies*
- (iv) *that is in a ruinous or dilapidated condition,*
- (iv) *the condition of which seriously depreciates the value of land or buildings in the vicinity,*
- (vi) *that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,*
- (vii) *that is an allurements to children who may play there to their danger,*
- (viii) *constituting a hazard to the health or safety of the public,*
- (ix) *that is unsightly in relation to neighbouring properties because the exterior finish of the building or structure or the landscaping is not maintained,*
- (x) *that is a fire hazard to itself or to surrounding lands or buildings,*
- (xii) *that is in a poor state of hygiene or cleanliness;*

Discussion from the July 2, 2024 Planning Advisory Committee Meeting:

During the May 28, 2024, inspection, there was immediate concern for the lone occupant of the building. Upon entry, it was noted that the interior walls were separating from the exterior of the building and the kitchen had collapsed into the basement. Other significant safety concerns were also noted in the unoccupied unit, including that the oven was turned on (although the element had burnt out), a space heater was on and running, and a light was on and had fallen over onto a mattress. It appeared that the light had also scorched the wallpaper in the bedroom prior to falling over. The occupied unit has access to the basement, which is connected to the unoccupied unit. There is no way of fully securing the occupied unit from the collapse.

A qualified electrician was immediately hired to complete an inspection and a safety report. *Upon inspection, dangerous wiring was found throughout the entire structure. Knob and tube wiring was present, and bare copper was exposed and live, which was also running through the collapsed portion of the structure. The main switch gear was found to be in very poor condition, and the electrician rated the overall system a 1/10 as many hazards were present.* The electricians shut off power to the unoccupied unit to mitigate the fire hazard. **It is important to note that although the electricians (and NS Power) have disconnected power, the electrician stated that there is no way of knowing if all power has been completely disconnected from the unoccupied unit as the age and type of wiring used to be installed with little to no rhyme or reason.** Smoke detectors and carbon monoxide detectors were installed in the occupied unit the same day to further lower the risk to the occupant.

Extensive discussions were had regarding how to proceed as there was still an occupant in the building. It was concluded that after installing smoke and carbon monoxide detectors, having a qualified electrician complete a safety report and shutting off power to the unoccupied unit, and having Nova Scotia Power disconnect the power to the unoccupied unit, that we lowered the risk to the current occupant for the immediate future. Long-term, however, the building will continue to significantly deteriorate and cause more deterioration to the occupied side. Along with the various structural and electrical concerns, the unoccupied unit is noted to be a health concern as

there is decomposing organic matter, rodents, mold, significant water damage, combined with extensive hoarding material.

Discussion from the September 3, 2024 Planning Advisory Committee Meeting:

Since the last meeting of the Planning Advisory Committee on July 2, 2024, there has been a significant increase of transient activity in and around the property. Staff have had to board up the property on three separate occasions since the last meeting, which included the rear porch, front door, and main floor windows. There is increased cause of concern that individuals are attempting to enter the lone occupant's unit, as there is evidence of activity in the basement and possible entry into the occupant's kitchen.

The property owner and/or their representative was invited to the July 2, 2024, meeting to discuss the state of the property. Neither the owner or their representative attended the meeting. As noted above, on June 21st the occupant's legal representative requested an opportunity to address the PAC at a later date. Although it is questionable if the tenant has standing, given the difficulty of serving the owner of the property, it was determined that the July 2, 2024, meeting would proceed as scheduled, but allow for the occupant and their lawyer to address the committee as requested, prior to considering a motion on the matter.

Given the potentially dangerous state of the subject building as detailed above, neglect by the property owner over the years, and the increase in transient activity on the property, it is appropriate to consider removing this risk by ordering demolition.

It should be noted that the Committee's authority pertains to the demolition of the building, while the authority to order a building vacated rests with the Administrator (Municipal Government Act s. 348 (6)). However, should the Committee decide to order demolition, the Administrator would likely time an order to vacate to align with the demolition order.

Update:

At the September 3, 2024, meeting of the Planning Advisory Committee, the Committee heard from the owner of the subject property, his son, and the representative for the tenant of the subject property. Upon consulting with the Office of the Fire Marshal and receiving their opinion that Town may want to take further action in the best interest of the tenant's safety, an Order to Vacate was issued on September 12, 2024, in person, to the tenant and her representative. Prior to the issuance of the Order to Vacate, local housing and emergency support groups were contacted to ensure alternative housing and resources were available. The Order to Vacate was also posted to the property and served upon the owner as required under the Municipal Government Act Sections 348(2) and 349(2).

It should be noted that the May 28, 2024 inspection findings noted above were created in collaboration with the Administrator and the Building Official. For clarity, a separate report from the Building Official stemming from that inspection is attached. The report also outlines the Building Official's qualifications and scope of practice that include, "the work necessary to correct unsafe conditions in existing buildings that are reported to a building official or observed

during an inspection”. (NS Building Code Act, Section 4) The Building Official recommends that:

The building’s condition is beyond practical or cost-effective repair. It does not meet minimum safety or structural standards, and therefore, it is recommended that the building be designated for demolition. The demolition should be scheduled at the earliest feasible date to prevent further dangers.

Staff also sought a 3rd party independent opinion of the state of the building from TN Trenholm Construction Inc. who carried out an inspection on September 18, 2024. As detailed in the attached report, the company found the building, “in a state of sever disrepair, with structural instability that poses significant safety risks”.

Recommendation:

Of the three options listed below, at this time, staff are recommending **Option 1**.

- 1) That the Planning Advisory Committee order that the building located at 19 Spring Street (PID: 25031626) be demolished, with all contents removed, back fill the hole, and remove all vehicles and trailers from the property within 60 days of this meeting, with all work to be done by the property owner. Failure by the property owner to do the work will result in the Town completing the work and sending all contents of the building to an appropriate solid waste facility, or impound yard, with all costs charged to the property owner’s tax account.
- 2) That the Planning Advisory Committee order staff to release the procurement process in order to complete the safe removal of debris, followed by a comprehensive assessment of all repairs required to meet the National Building Code of 2015 and the Town of Amherst Minimum Standards for Residential Occupancy Bylaw, P-4, with all costs charged to the property owner’s tax account.
- 3) That the Planning Advisory Committee order staff to continue to monitor the property and bring any new issues that arise back to the committee.

Attachments:

- 1) Appendix A: 20240702 19 Spring Street PAC PowerPoint
- 2) Appendix B: 20240903 19 Spring Street PAC PowerPoint
- 3) Appendix C:20240918 19 Spring Street PAC PowerPoint
- 4) Appendix D: 20240925 19 Spring Street Deficiencies
- 5) Appendix E: 20240925 Buske Inspection Report
- 6) Appendix F: 20240918 T.N Trenholm Building Assessment

19 Spring Street

PID 25031626











Unoccupied Unit

Interior walls separating from exterior walls.



Interior Walls separating from exterior walls.



Main floor bathroom. Interior walls separating from exterior walls.



Significant water damage to main floor kitchen.



Significant water damage to main floor kitchen.



Oven was on, element appeared to be burnt out.



Floor has completely collapsed into basement. Hallway door frame is resting on debris.



Refrigerator has fallen into the basement due to the collapsed floor.



Main floor water damage.



Main floor water damage.



Main floor water damage.



Main floor water damage.



Space heater on and running.



Main floor water damage, hoarding.



Main floor hoarding.



Main floor hoarding.



Second-floor water damage.



Second-floor hoarding/garbage.



Second-floor hoarding/garbage.



Second-floor hoarding/garbage.



Second-floor water damage.



Second-floor water damage.



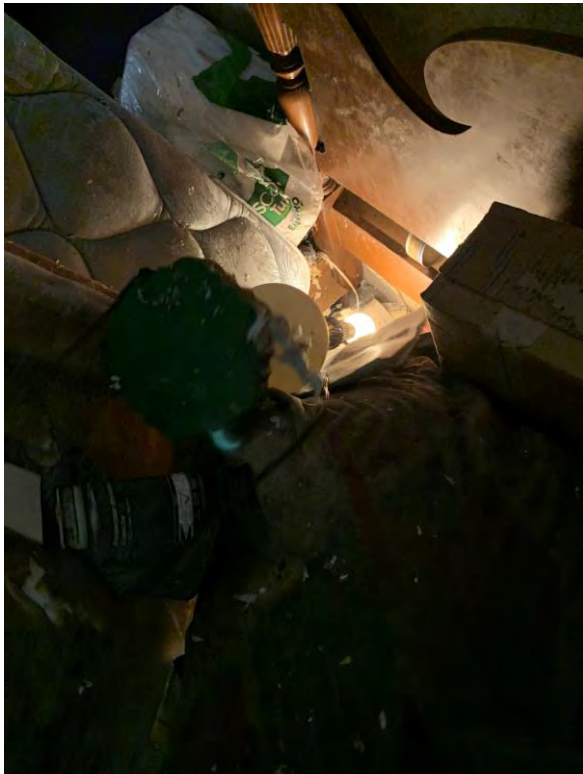
Second-floor bathroom water damage.



Second-floor bathroom water damage.



Second-floor bedroom. Light fallen onto mattress and papers.



Second-floor bedroom. Light appeared to scorched wallpaper.



Occupied Unit

Water damage on second-floor.



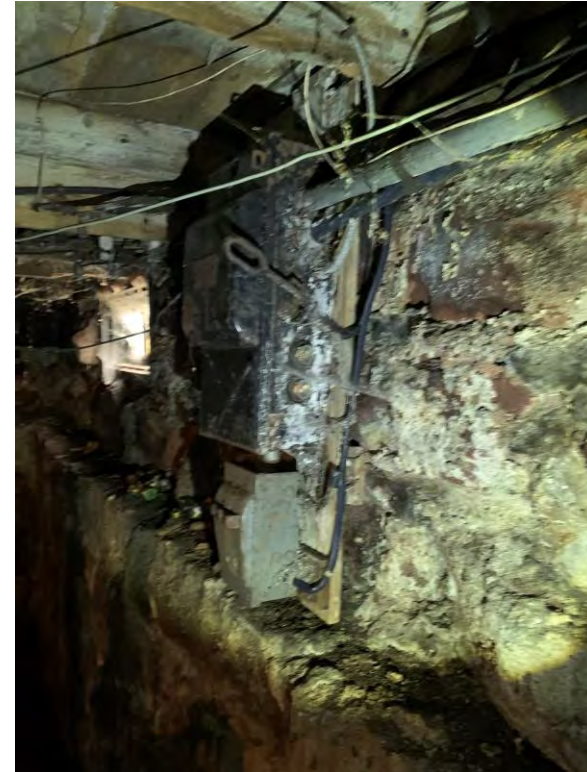
Minor water damage on second-floor.



Electrical and furnace is accessible through occupied unit.



Basement: Main gear box in extremely poor condition. Accessible through occupied unit



Basement. Collapse of unoccupied unit.







19 Spring Street

PID 25031626









Interior wall has separated from exterior wall



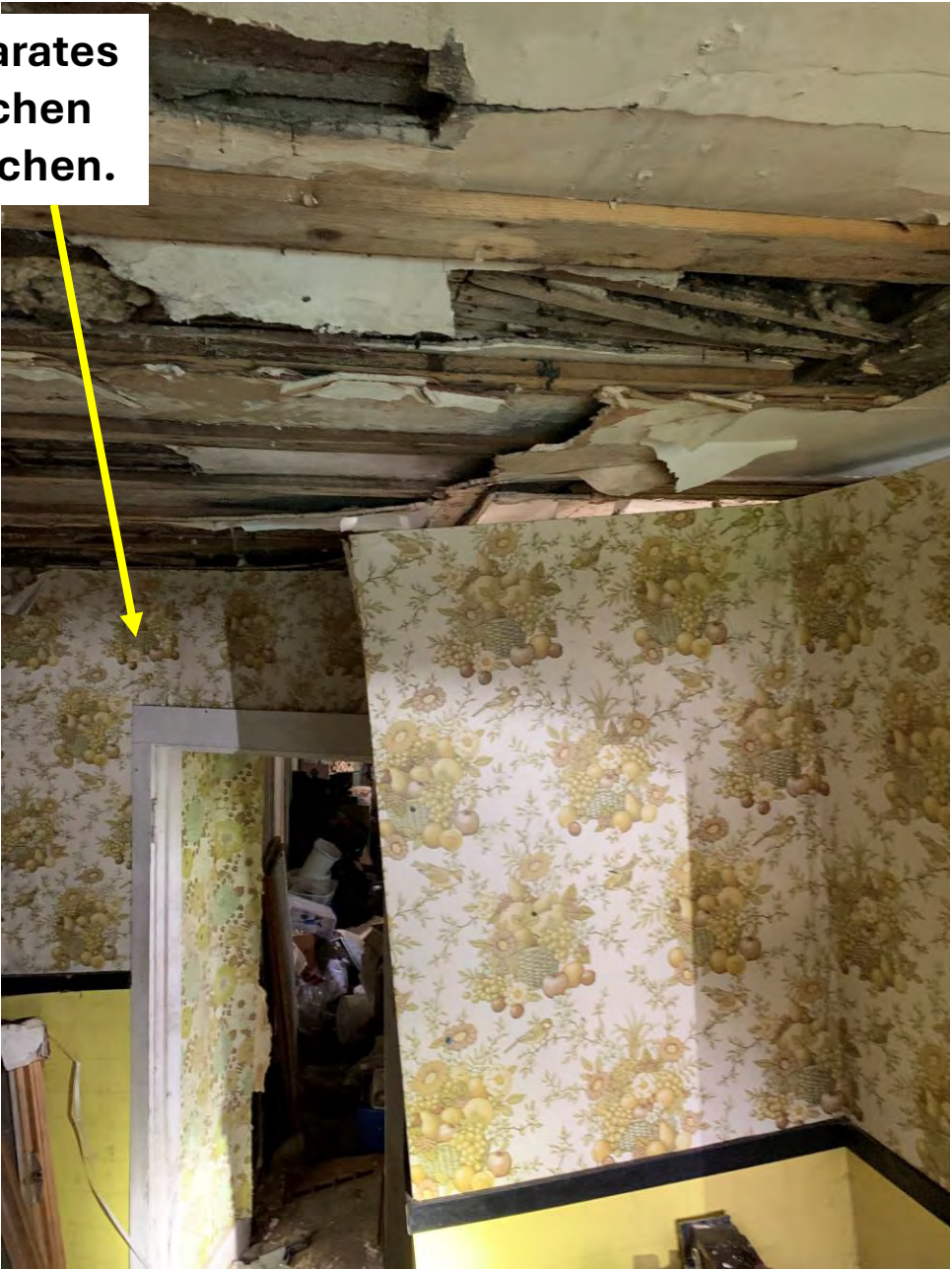


**Kitchen has collapsed into basement
and little to no floor remains (refrigerator
has fallen into the basement)**





Interior wall separates unoccupied kitchen and occupied kitchen.

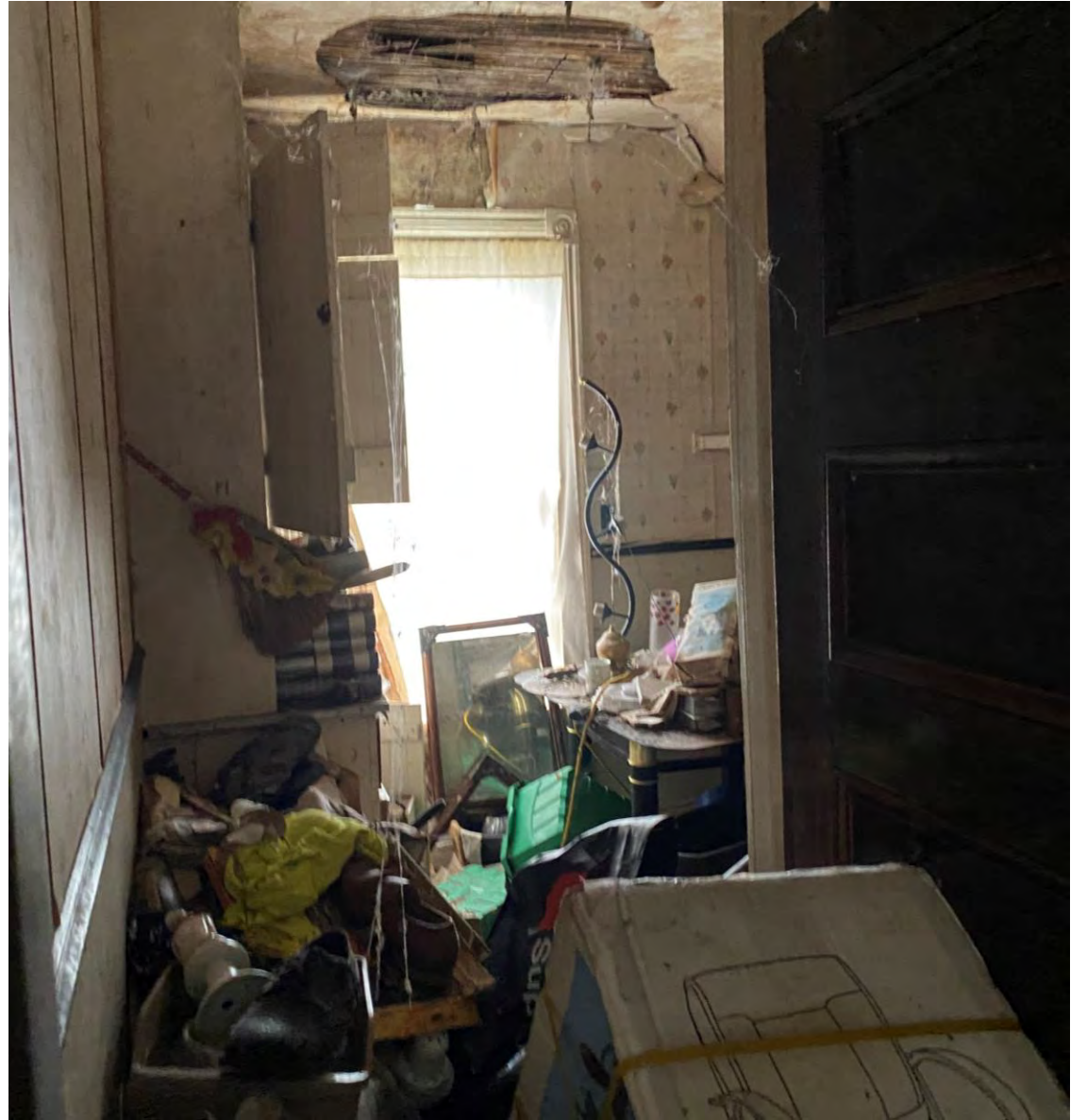








Door from the unoccupied space leads to occupied space





Second floor of unoccupied unit (over the main floor dining/living space of the occupied)

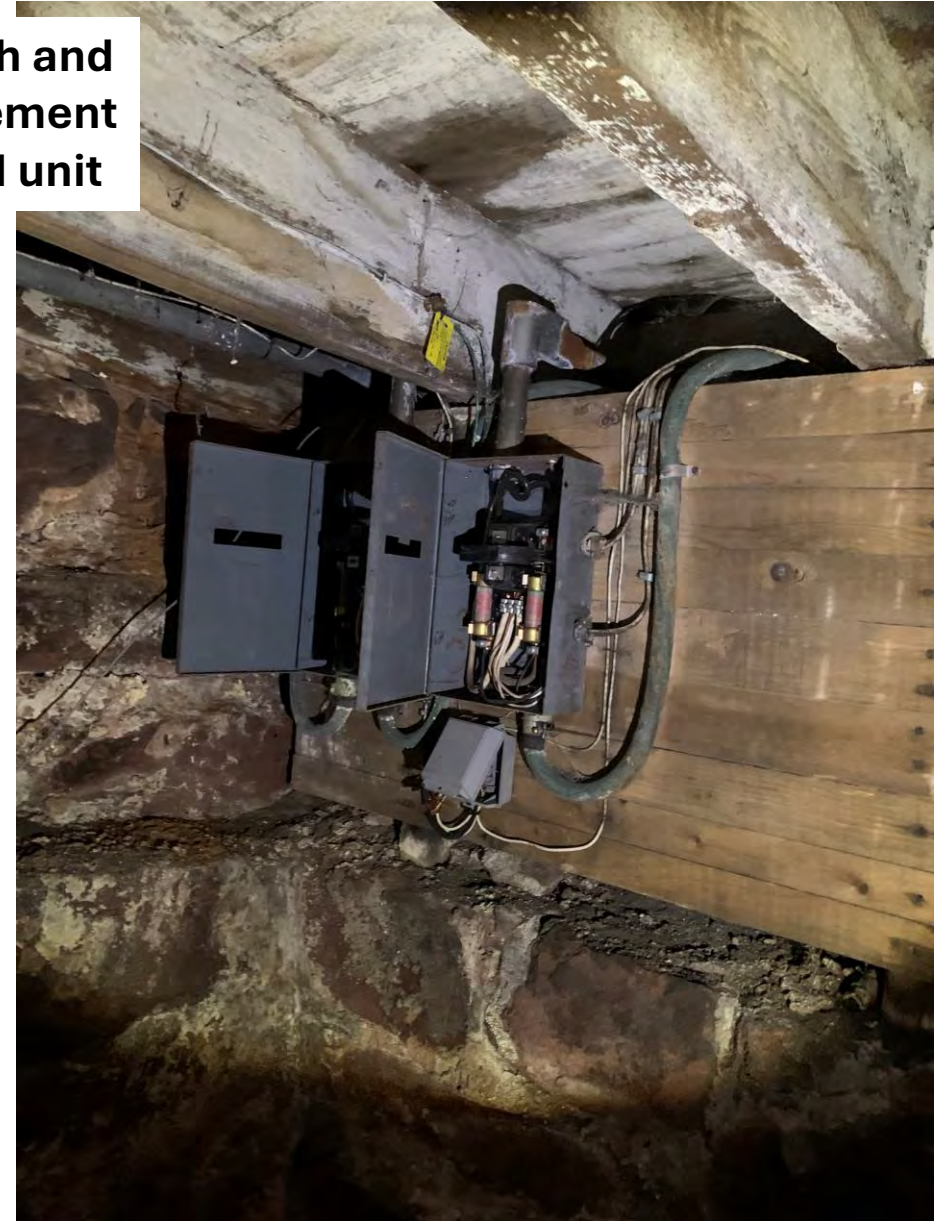


Second floor of unoccupied unit (over the main floor dining/living space of the occupied)





Main gear switch and fuse box in basement of the occupied unit



Kitchen has collapsed into basement. Many electrical wire and water lines run through the debris.



**Water lines
and electrical**



**Basement
stairwell of
unoccupied unit**





19 Spring Street

May 28, 2024

Marc Buske, Building Official II









































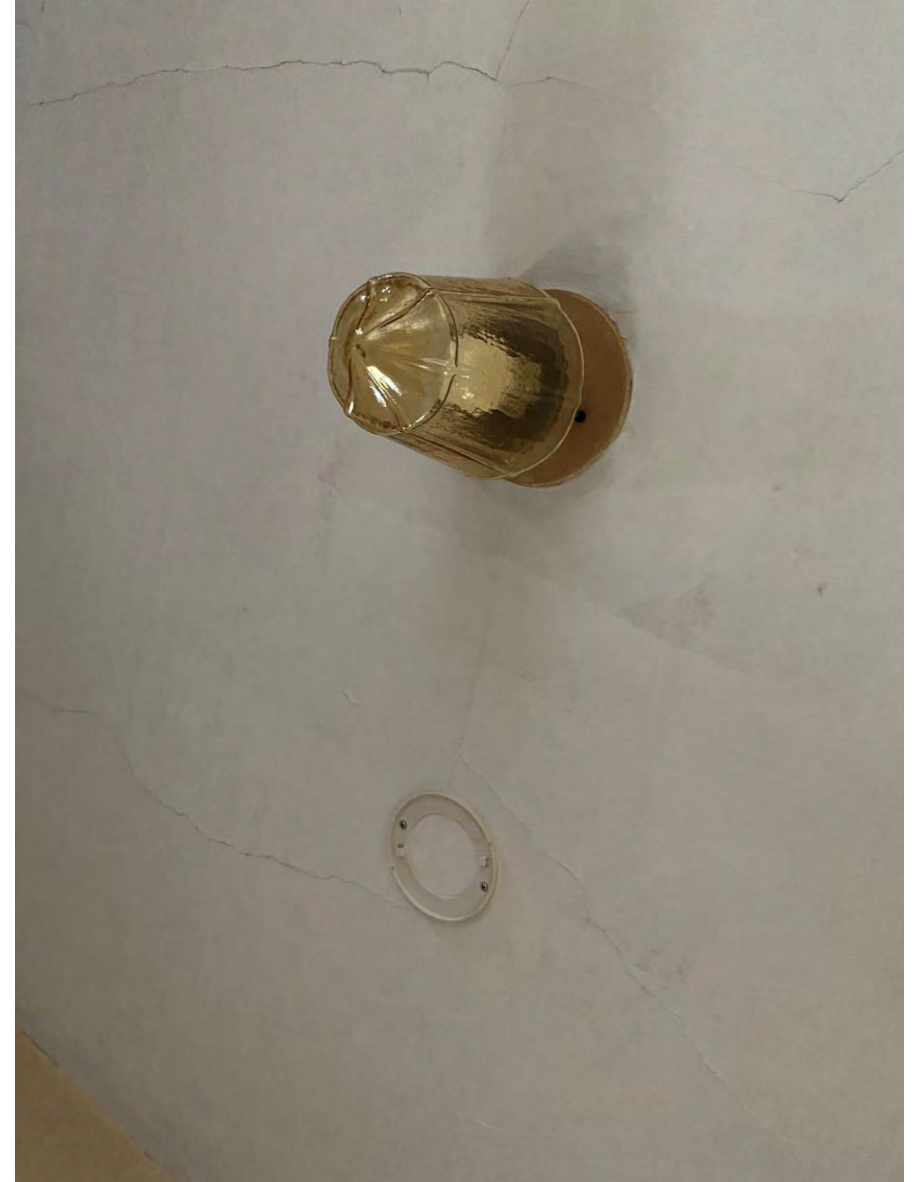
















TO: Planning Advisory Committee
FROM: Marc Buske, Building Official II
DATE: September 25, 2024
RE: Site Inspection of 19 Spring Street, Amherst, NS (PID 25031626)

Registered Owner: Walter E Wells

Property Address: 19 Spring Street, Amherst (PID 25031626)

Date of Inspection: May 28, 2024

Requested by: Emily Wainwright, Dangerous and Unsightly Administrator

Building Type: Two-story, wood-framed building with two residential units.

Overview

An inspection of the property at 19 Spring Street, Amherst, Nova Scotia was conducted on May 28, 2024, at the request of the Dangerous and Unsightly Administrator, Emily Wainwright. The building is a two-story, wood-framed structure containing two residential units. The following conditions of the structure are laid out, with example pictures attached in a separate document, as they were observed.

Authorities:

National Building Code of Canada 2015

The National Building Code (NBC) sets out technical provisions for the design and construction of new buildings. It also applies to the alteration, change of use and demolition of existing buildings.

The NBC establishes requirements to address the following five objectives, which are fully described in Division A of the Code:

- safety



- health
- accessibility for persons with disabilities
- fire and structural protection of buildings
- environment

For full scope and application of the Building Official, please reference the Building Code Act and the Nova Scotia Building Code Regulations as documented below in this report.

Nova Scotia Building Code Regulations made under Section 4 of the *Building Code Act*

Scope and Application

Scope

6 *These regulations apply to the administration and enforcement of the Act in the*

(a) design, construction, erection, placement and occupancy of new buildings;

*(b) **alteration, reconstruction, demolition, removal, relocation, occupancy and change of occupancy classification of existing buildings; and***

*(c) **work necessary to correct unsafe conditions in existing buildings that are reported to a building official or observed during an inspection.***

(2) If a building or any part thereof is altered, these regulations apply to the parts of the building that are altered.

(3) If the whole or any part of a building is relocated either within or into the area of jurisdiction of a municipality as the authority having jurisdiction, these regulations apply only to the parts of the building that are being altered or constructed.

(4) If the whole or any part of a building is demolished, these regulations apply to

(a) the work involved in the demolition; and

(b) the work required to any part of the building that remains after demolition, to the extent that deficiencies occurring or remaining after demolition require correction.

*(5) **If a building is damaged by fire, earthquake or other cause, these regulations apply to the work necessary to reconstruct damaged portions of the building.***



Obligations of Building Official

Appointment and qualification of building officials

46 *A person appointed by a municipality as a building official must meet all of the following qualifications:*

- (a) they must hold a valid diploma from the Nova Scotia Building Code Training and Certification Board;*
- (b) they must be a member in good standing of the Nova Scotia Building Officials Association.*

Nova Scotia Building Officials Association – Qualification & Scope of Practice

To work as a Qualified Building Official in Nova Scotia, you must receive a Diploma of Qualification from the Nova Scotia Building Code Training and Certification Professional Studies Program.

Level II Qualifications:

Prerequisites	<ul style="list-style-type: none"> • Level I Qualification • Completed 120 inspections as a Level I Building Official • Regular Member of NSBOA in good standing
Required Training Courses	<p>All courses from the Intern Program, Residential, and Level I, as well as:</p> <ul style="list-style-type: none"> • Part 3 – Complex Buildings • Part 3 – Large Buildings (ACBOA) • Part 3 – Plans Examination
Field Training	<p>Must complete 120 inspections Level II field inspections under the mentorship of a Level II Building Official.</p>
Scope of Practice Upon Completion	<p>Plans examinations and field inspections on all buildings covered by the Nova Scotia Building Code.</p>



Inspection Report: 19 Spring Street

Exterior Conditions

1. Roof Condition

The roof on the front section of the building remains in good condition. However, the rear section, including the area adjacent to the driveway, is in a state of significant disrepair. Multiple shingles are missing or curled, with exposed sheathing visible in certain areas. This deterioration has allowed water infiltration, which is exacerbating existing structural damage to the building.

2. Siding

The siding on the building is severely deteriorating, allowing water and weather to penetrate the structure, compromising its weather-tightness and enabling rodent intrusion. In contrast, the siding on the front of the building with the currently occupied unit, remains in relatively good condition.

3. Windows and Doors

Most of the windows and doors are in relatively good condition. However, a few windows are either broken or missing, compromising the weather-tightness of the structure. There were 4 windows missing. Two of the windows are on the back of the house with the unoccupied unit, and two more in the basement allowing unobstructive entry into the building.

Structural Conditions

1. Flooring

A section of the floor at the rear of the building has collapsed due to extensive rot and decay caused by continued water infiltration. This structural failure is placing significant stress on the remaining walls, flooring, and ceiling, further weakening the building. If not addressed, this ongoing stress is likely to result in a major collapse in the near future.

2. Interior Walls and Ceilings

The interior walls and ceilings on the unoccupied side of the building are in poor condition, primarily due to significant water damage. The insulation, vapor barriers, and finishes have also failed, and multiple holes are present in the walls and ceilings, leaving the interior exposed to the elements.



3. **Debris and Garbage**

There is an excessive accumulation of debris and garbage throughout the unoccupied side of the building, posing a significant fire and safety hazard. The debris obstructs exits and pathways, making it difficult for first responders to navigate the building safely in the event of an emergency.

4. **Fire and Smoke Separation**

There is currently no fire or smoke separation between the two units, further compromising the safety of the occupant. Additionally, in some areas of the unoccupied unit, wall and ceiling finishes have deteriorated and fallen off due to weather entering the building, resulting in further allowing fires to spread much faster.

System Conditions

1. **Electrical System**

The electrical system throughout the building, including the occupied unit, has been compromised and presents a significant safety hazard. Multiple exposed wires in the basement. Due to the collapse, there are electrical wires in and around the collapse area. I have no way of knowing what wires are live and what the load is on the system because of this collapse.

2. **Plumbing System**

The plumbing system throughout the building, including the occupied unit, has been compromised, affecting both units. Currently, the building has a single water line, which runs through the affected, unheated portion. With the colder weather approaching and no heat in the unoccupied side, the line is at significant risk of freezing. If this occurs, it will result in the loss of water supply to the occupied section of the building. Immediate preventive measures should be considered to avoid disruption of service. I am unsure of the specific layout of the sewer system for this building, but its my assumption both units are connected to the same system. Given that part of the structure is compromised due to the collapse, there is a potential risk that the sewer system has also been affected. This could lead to service interruptions or further complications.

3. **Heating System**

The heating system in the unoccupied unit is no longer functional due to the disconnection of electricity to the unit. While the heating system in the occupied unit is currently



operational, it is at risk of failing due to weather exposure affecting the basement, which serves both units.

Professional Opinion:

Based on the inspection findings, it is my professional opinion that the building is unsafe due to significant structural failures, including the collapse of the floor and extensive disrepair of critical systems. The deterioration of the building is progressing rapidly and will soon compromise the currently occupied unit.

Conclusion:

The building at 19 Spring Street is in a state of significant structural failure and presents an immediate danger to its occupant. The progression of deterioration will soon make the entire building unsafe. Demolition is the only viable solution to mitigate the risks.

Recommendation:

Option 1: Immediate Eviction:

Immediate evacuation of the tenant in the occupied unit is necessary to ensure safety. All personal belongings should be removed while access remains safe.

Option 2: Demolition:

The building's condition is beyond practical or cost-effective repair. It does not meet minimum safety or structural standards, and therefore, it is recommended that the building be designated for demolition. The demolition should be scheduled at the earliest feasible date to prevent further dangers.

Of the two options listed, at this time, I am recommending **Option 2**.

Attachments:

- 1) 20240925 19 Spring Street Inspection Pictures
- 2) Marc Buske Level II Qualification Diploma

Report prepared by: M. Buske





Building Assessment

Assessment performed by:

TN Trenholm Construction Inc.

13 West Pleasant Street

Amherst, N.S.

B4H 2R2

(902) 694-5433

Dear Emily Wainwright (Dangerous and Unsightly Premises Administrator),

As requested, I have conducted an initial walkthrough of the building located at **19 Spring Street, Amherst N.S., B4H 1R6** to assess what would be required to bring the structure up to livable standards, including addressing code violations.

Please refer to the findings detailed below. Additionally, you will find related images attached at the end of this report.

Date of Assessment: **September 18, 2024**

Review Items	Observations
FOUNDATION	Our assessment of the foundation revealed several critical issues, including, but not limited to, loose rocks, holes, and broken jack posts and supports. Additionally, we observed caved-in sections of the floor structure above. These conditions indicate significant structural concerns.
STRUCTURE	Our evaluation of the building's structure revealed several serious issues, including, but not limited to, extensive rot, caved-in sections, mold growth, and the presence of mushrooms. We also noted collapsed walls and bowed and broken structural elements. These findings indicate that the building is experiencing significant and active structural failure.
EXTERIOR	Our inspection of the building's exterior identified several issues, including, but not limited to, the need for replacement of all windows and doors to meet code standards. We also found the majority of the siding is damaged and rotting, with compromised sheathing on both the walls and roof and multiple holes in the roof. Additionally, there is significant damage to some of the roof shingles, along with extensive deterioration of the second-floor deck and stairs.

CHIMNEYS	The structural condition of both chimneys reveals signs of deterioration and the presence of holes, rendering them unsuitable for use.
INSULATION	We did not observe any signs of insulation in the building. Therefore, complete replacement with new insulation will be necessary to meet current standards and improve energy efficiency.
INTERIOR FINISHES	The interior finishes of the building are significantly damaged in most areas, with some areas lacking finishes altogether. Additionally, we noted the presence of mold and encountered obstructive amounts of garbage and debris that hindered our ability to conduct a thorough inspection in certain locations.
HEATING	During our inspection of the oil furnaces, we determined that one unit seems to be functioning adequately, while the other is beyond repair and will require replacement
ELECTRICAL	All electrical needs to be replaced to meet current code standards.
PLUMBING	All plumbing needs to be replaced to meet current code standards.
PERSONAL BELONGINGS & DEBRIS	There is a significant amount of personal belongings and debris within the building, some of which appear to be supporting collapsed walls and structural elements. We are concerned that the removal of this material may trigger further structural instability and potential collapse of the surrounding areas.
FIRE SEPARATIONS	We did not observe adequate fire separations between tenant spaces. Additionally, the build-up of personal belongings and debris in some areas causes a significant risk of fire which can easily spread between units.

Summary of Current Conditions:

The building is in a state of severe disrepair, with structural instability that poses significant safety risks. The property is filled with personal belongings and debris, which, in many areas, appear to be the only elements preventing further collapse of the structure. This debris makes it extremely difficult to assess the full extent of the structural and system failures that need to be addressed.

Observations:

1. Structural Integrity:

- The building shows signs of active movement, with several parts on the verge of collapse. In some areas, sections have already failed. The structure is visibly unstable, with deterioration from the foundation to the attic due to prolonged water exposure and poor maintenance over several decades.

2. Obstruction of Access:

- The amount of personal belongings and debris within the property hinders a thorough assessment of the building's structure and systems. This material, in some cases, supports the structure itself, complicating any efforts to inspect or make repairs.

3. Safety Concerns:

- There are significant biohazards present, including animal and rodent infestations, which pose health risks to anyone entering the building. The potential for structural collapse during any inspection or removal of debris adds to the dangers faced by those on-site.

Recommendations:

Before a complete list of necessary repairs and code compliance issues can be developed, the following steps must be taken:

1. Safe Debris Removal:

- Personal belongings and debris must be carefully removed while mitigating the risk of structural collapse. Extreme caution will be necessary to ensure the safety of personnel involved in this process.

2. Comprehensive Assessment Post-Debris Removal:

- Once the property is clear, a thorough evaluation of the building's structure, foundation, roofing, electrical, plumbing, and other essential systems can be conducted to determine the extent of repairs or replacements required.

3. Safety Protocols:

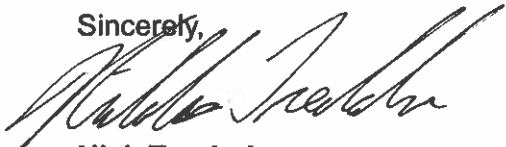
- All future site visits must incorporate safety protocols due to the presence of biohazards and the risk of structural collapse.
- During the removal of debris and construction, it is recommended that no tenants remain on-site for safety and compliance reasons.

Consulting and Project Management:

Should the Town of Amherst require, I am prepared to act as a consultant or project manager for this undertaking. However, it is important to note that this will be an extremely complex and costly project, with no guarantee that the structure will survive the remediation process given its current state.

I appreciate your attention to this matter and am available to discuss the findings and next steps at your earliest convenience.

Sincerely,



Nick Trenholm

TN Trenholm Construction Inc.
(902) 694-5433



Robin Stone

Stone Studio, Drafting & Design Services
(902) 664-1887



Damaged & missing roof shingles

Damaged and missing siding

Rotting members at entryways

Necessary replacement of all doors and windows to meet code standards

Roof and walls are bowed with many broken structural elements indicating that the building is experiencing significant and active structural failure



Deteriorating chimney

Damaged roof shingles

Damaged and missing siding



**Damaged eaves
and soffits**

**Damaged and
missing siding**



**Extensive
deterioration of
the second-floor
deck and stairs**



**Outdated knob
and tube wiring**

**Significant amount of holes
& loose rocks throughout
foundation**

**Broken open window,
rotten beyond repair**





All three images show large section of floor above has collapsed into basement causing significant structural damage, damage to mechanical and electrical services and leaves structure above highly unstable.



10"x10" Main support beam broken and rotten



Significant amount of personal belongings and debris, some of which appear to be supporting collapsed floor and structural elements. Removal of this material may trigger further structural instability and potential collapse of the surrounding areas.

Outdated main power entrance, all electrical needs to be replaced to meet current code standards.



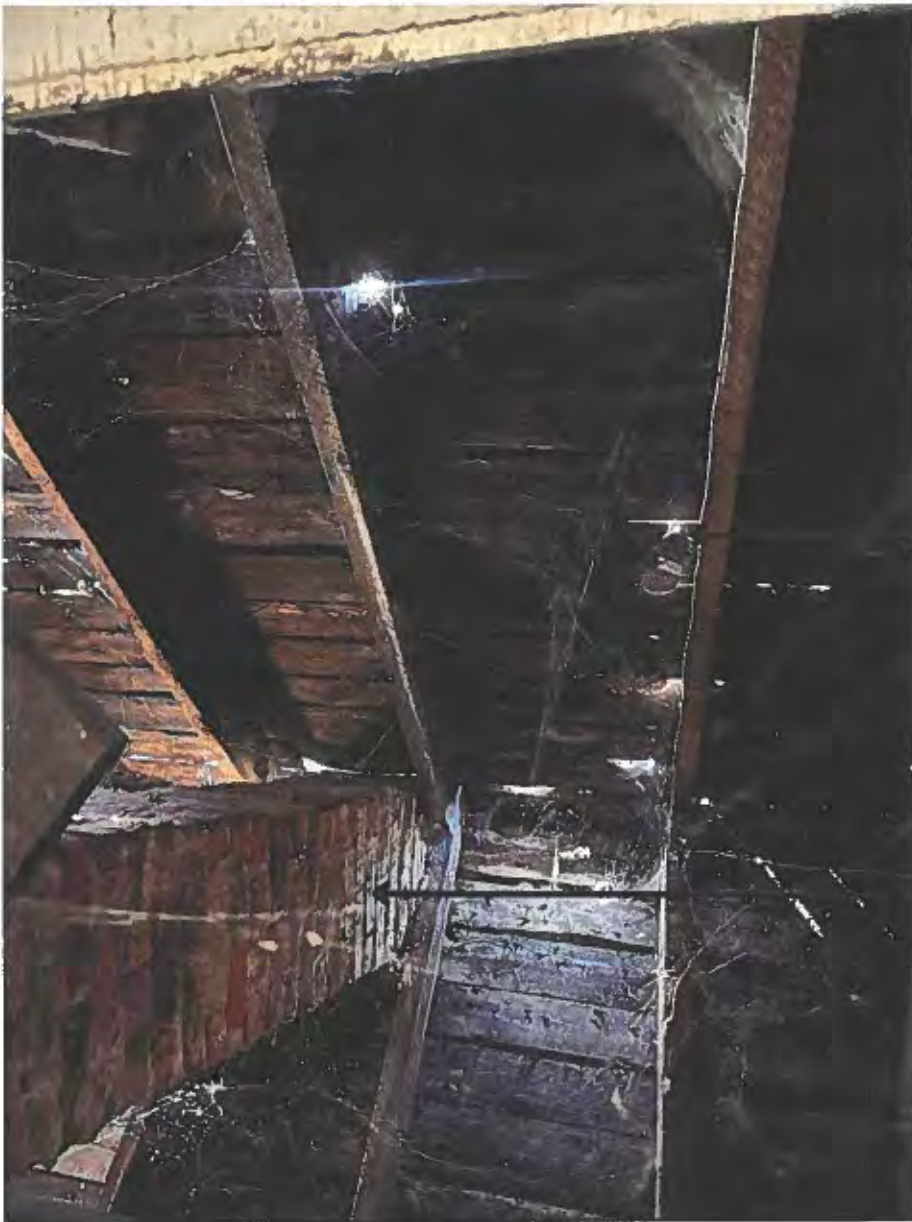
Failed plumbing and plumbing fixtures. All plumbing needs to be replaced to meet current code standards.



Leaking water heater

Collapsed structure beyond

Damaged oil barrel



**Visible holes
through majority
of roof**

**Deteriorating
chimney**



Slanted door frame due to active settlement. Approximately 3 1/2" of settlement in a 3'-0" run



Wall actively pulling away from adjacent wall due to extreme settlement

Slanted door frame due to active settlement



Significant amount of personal belongings and debris, some of which appear to be supporting collapsed walls and structural elements. Removal of this material may trigger further structural instability and potential collapse of the surrounding areas.



Years of unaddressed water damage in walls and ceilings

Numerous cracks in walls due to settlement

mold



All images show extensive damage to interior finishes due to prolonged water damage, structural settlement, prolonged mold issues and the build up of personal belongings and debris causing multiple bio hazards. All interior walls, ceilings, floors, moldings, finishes, etc. will need to be replaced.



All images show extensive damage to interior finishes due to prolonged water damage, structural settlement, prolonged mold issues and the build up of personal belongings and debris causing multiple bio hazards. All interior walls, ceilings, floors, moldings, finishes, etc. will need to be replaced.

Multiple Bio Hazards



Significant amounts of personal belongings and debris on floors



Mold present in various areas throughout the house

Outdated plumbing

Various bio hazards and mushroom growth





To: Planning Advisory Committee
From: Emily Wainwright, Dangerous and Unsightly Premises Administrator
Date: September 23, 2024
Re: Recommendation of 77 Station Street (PID 25124017)

Registered Owner: W B Wells Ltd

Issue:

The lack of maintenance over the years has left the building in a state of serious disrepair to which the building is now becoming a danger to the public on Station Street. As articulated in the inspection report below, there are various structural, safety, and health concerns with the building.

History:

February 6, 2024	Complaint received from APD regarding the condition of the vacant building and that someone was inside. The Officer had reported that it appears the roof was caving in. Site visit (exterior); it was unclear the condition of the building due to the snow and height of the building.
February 8, 2024	Notice was given to owner's representative and posted to the property to enter the property on February 15, 2024.
February 15, 2024	Interior inspection (9:00 am) completed by D&U, Building Official II, and APD. Power was still running to the building. The owner was invited to the inspection, but did not attend.
February 20, 2024	Requested disconnection of power by NS Power due to transient activity in the building; individuals attempting to strip electrical in the building and dismantle electrical panel.



- February 28, 2024 Call from NS Power confirming that meters were “pie plated” and power lines had been cut. Power secured.
- March 7, 2024 Notice sent to owner to *Weathertight Roof, Secure All Entrances, and Remove all Garbage by March 21, 2024.*
- March 25, 2024 Follow-up inspection. No progress has been made. Side door was open.

Immediate Order issued to secure building.

Town hired contractor to secure the building

Order issued to *Weathertight Rood and Remove all Garbage by April 2, 2024.*
- April 4, 2024 Follow-up inspection. No progress made.

Noticed entrance had been made through the metal/concrete at the back of the building. APD cleared the building. Obvious signs of transient activity. There was now 4-6” of water in basement.

Officers stated it was extremely hard to keep the area free of transient activity. Activity occurring under decks, using decks to hide from APD.
- April 5, 2024 Reached out to Police Chief re: issues with subject property. APD is in support of the removal of the dilapidated decks. The property is no longer safe to complete a thorough inspection.
- April 10, 2024 Posted Notice to Enter with Department of Environment and Climate Change due to concerns of water and large amounts of hazardous materials in the basement.
- April 11, 2024 Completed inspection with DOECC and APD.
- April 18, 2024 Notice given to owner to *remove all Garbage from the property, Remove or Repair all dilapidated wooden decks as to no longer be dangerous or unsightly, and to Weathertight the roof by April 30, 2024.*



April 29, 2024	Follow-up inspection. More metal siding had been removed and access was made into the building. Contractor hired to board up.
May 1, 2024	Issued Order to <i>remove all Garbage, Repair or Remove all dilapidated wooden decks as to no longer be dangerous or unsightly, and to Weathertight the roof by May 14, 2024</i>
May 3, 2024	Building cleared by APD prior to boarding up by Town hired contractor.
May 16, 2024	Deck and Garbage Removal award to Town hired contractor.
May 21-22, 2024	Deck and Garbage Removal completed by Town hired contractor.
July 10, 2024	Immediate removal of metal siding by Public Works as metal was blowing onto the road and hanging from the building.
July 16, 2024	Follow-up inspection. Bricks appear to be falling off the building.
July 17, 2024	Temporary barricade and snow fencing installed around area where bricks are falling from building.
July 22, 2024	Hoarding fence installed by Town hired contractor.
August 20, 2024	Notice of Consideration for Demolition posted to property and served to owner via Provincial Civil Constable.

Inspection Report:

An inspection of 77 Station Street was completed by the Dangerous and Unsightly Premises Coordinator, the Building Official II, and the Amherst Police Department on February 15, 2024. The following was noted and photographed:

- The exterior of the building is metal.
- All doors and windows have been boarded up.
- One door facing Station Street had obvious signs of repeated entry, where individuals have removed sheet metal, which was installed by public Works, as per APD.
- The roof is asbestos tile with large openings.
- Graffiti is noted on the side facing the train tracks.



- There are two power meters with the faces removed, interior sockets exposed, there is a possibility of power still running to the meters.
- Signs of transient activity at the property.
- The door facing Spiring Street had been cleared of snow, signs of attempted entry.
- Clothing, blankets, and other items were found around the property.
- Noticeable holes in roof, allowing weather to enter the building.
- Large holes facing train tracks allowing snow to enter and accumulate in the building.
- Signs of water damage inside the building.
- Exposed heating and HVAC system.
- Large quantities of tools, hardware, water pumps/systems, furniture, etc. make it extremely hard to navigate through the building.
- Building is made with steel beams and concrete walls.
- The electrical panel has been stripped and copper/wires have been removed.
- Used cigarettes found inside the building.
- Wood pallets inside the building seem to have been placed in a way that was being used as a ladder to gain access to the ceiling and/or roof.
- The floor of the second-floor office is rotten and very soft due to leaking roof above.
- The basement has an oil tank, which appears empty, furnace and hot water heater.
- Large accumulation of hazardous waste, including paint and stain in various conditions (possibly hundreds of cans of various waste).
- Evidence of individuals using the washrooms.
- There is no current water account – confirmed by Water/Sewer Billing Clerk.

Relevant Municipal Government Act Interpretations:

- Section 3(r) “dangerous or unsightly” means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy, and includes property containing*
- (i) ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,*
 - (ii) an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,*
 - (iia) an accumulation or collection of materials or refuse that is stockpiled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or*
 - (iii) any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies*
 - (iv) that is in a ruinous or dilapidated condition,*



- (iv) *the condition of which seriously depreciates the value of land or buildings in the vicinity,*
- (vi) *that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,*
- (vii) *that is an allurements to children who may play there to their danger,*
- (viii) *constituting a hazard to the health or safety of the public,*
- (ix) *that is unsightly in relation to neighbouring properties because the exterior finish of the building or structure or the landscaping is not maintained,*
- (x) *that is a fire hazard to itself or to surrounding lands or buildings,*
- (xii) *that is in a poor state of hygiene or cleanliness;*

Discussion from September 3, 2024 Planning Advisory Committee Meeting:

As noted in the above noted History, the building has shown signs of significant and worsening deterioration. Efforts have been made to clean up the property around the building, repeatedly securing the building, and taking steps to ensure it is not a danger to the public. However, individuals continue to enter the building by removing concrete blocks, and APD have stated that it is no longer safe or possible for officers to do a thorough inspection. An April 4, 2024 inspection found 4-6” of water in the basement that also contains significant amounts of hazardous materials. In addition, bricks and asbestos tile are now falling from the building, which poses a safety risk to the public. For the aforementioned reasons, staff recommend that the building be considered for demolition.

At this current time, it appears to be relatively safe to enter the building to remove its contents. If the building is left vacant for another winter, staff are concerned that significant deterioration will occur making it no longer safe to enter the building to properly remove the asbestos roof and the contents, specifically the large amount of hazardous waste.

Update:

Staff continue to periodically monitor the property for transient activity and deterioration, and the building remains secure at this time.

Recommendation:

Given the current state of the building, staff are recommending **Option 1** below.

- 1) That the Planning Advisory Committee order that the building and loading dock located at 77 Station Street (PID: 25124017) be demolished, with all contents removed, back fill the hole, within 90 days of this meeting, with all work to be done by the property owner. Failure by the property owner to do the work will result in the Town completing the work and sending all contents of the building to an appropriate solid waste facility, or impound yard, with all costs charged to the property owner’s tax account.



- 2) That the Planning Advisory Committee order staff to hire a qualified contractor or a structural engineer to access the condition of the building, and submit the report back to the PAC, with all costs charged to the property owner's tax account.

- 3) That the Planning Advisory Committee order staff to continue to monitor the property and bring any new issues that arise back to the committee.

Attachment:

- 1) *20240903 77 Station Street PAC PowerPoint*

77 Station Street

PID 25124017

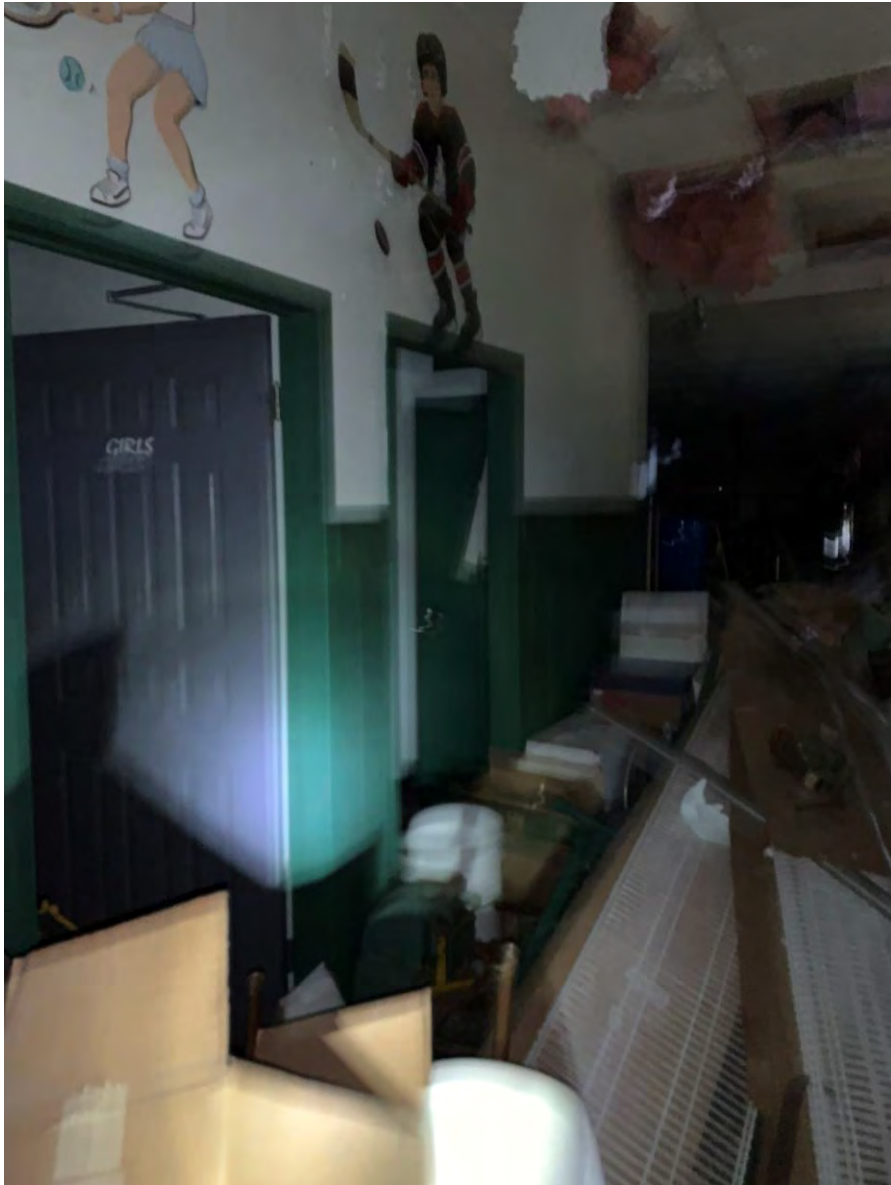
February 15, 2024 – Interior Inspection



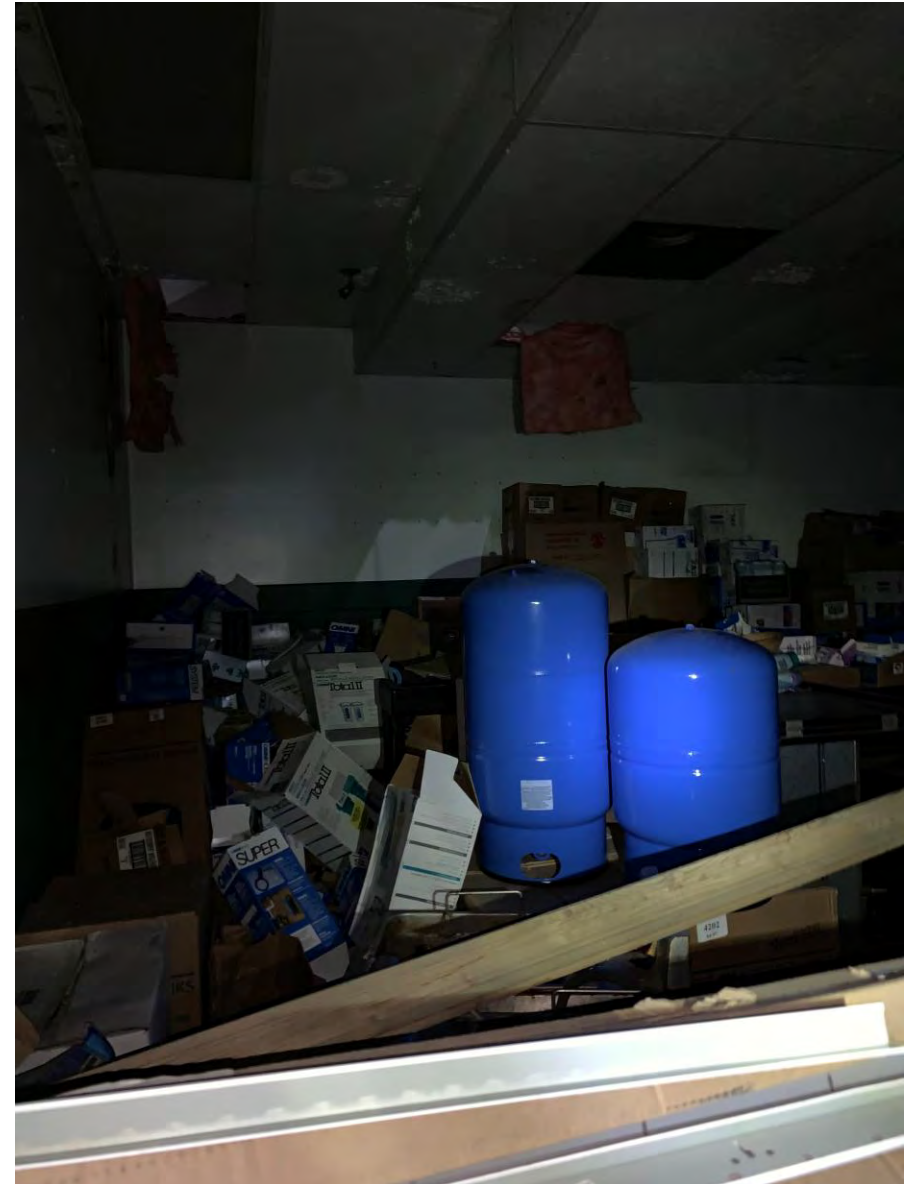
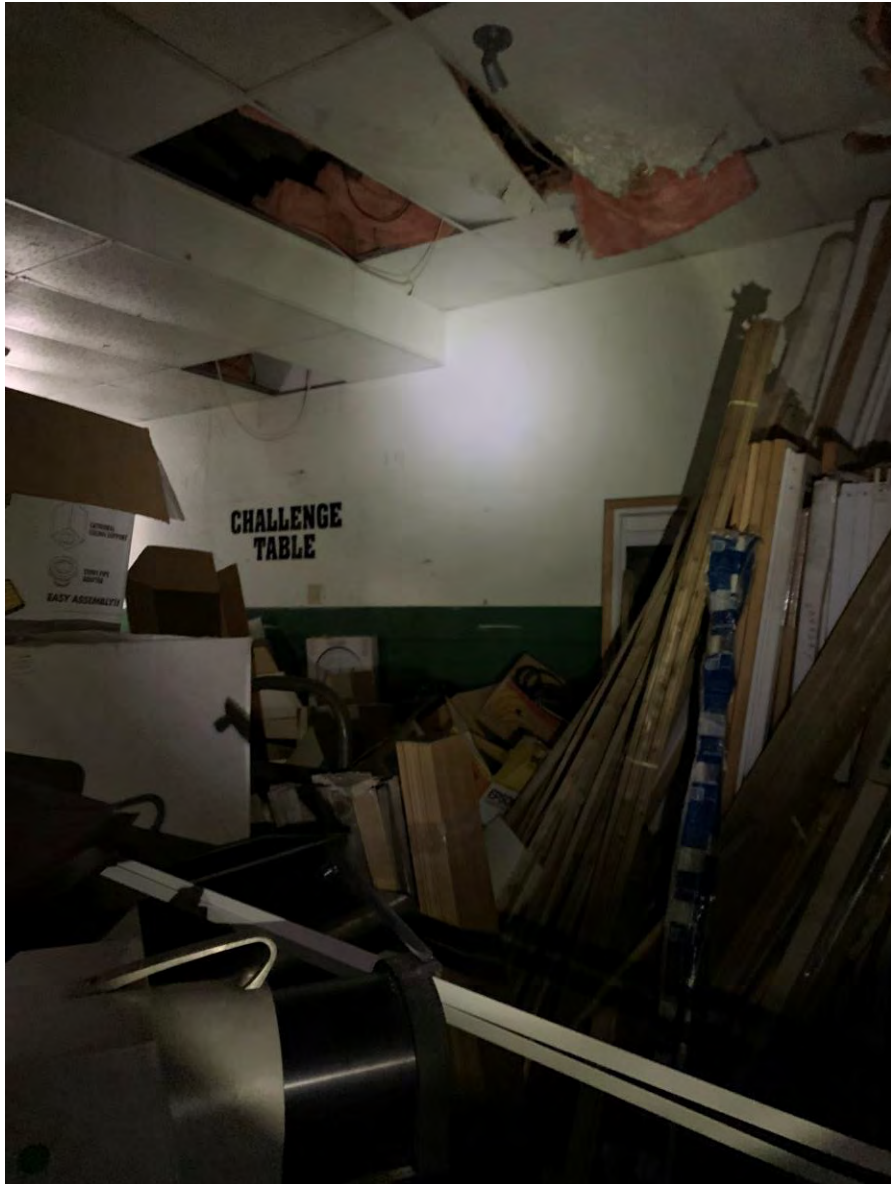




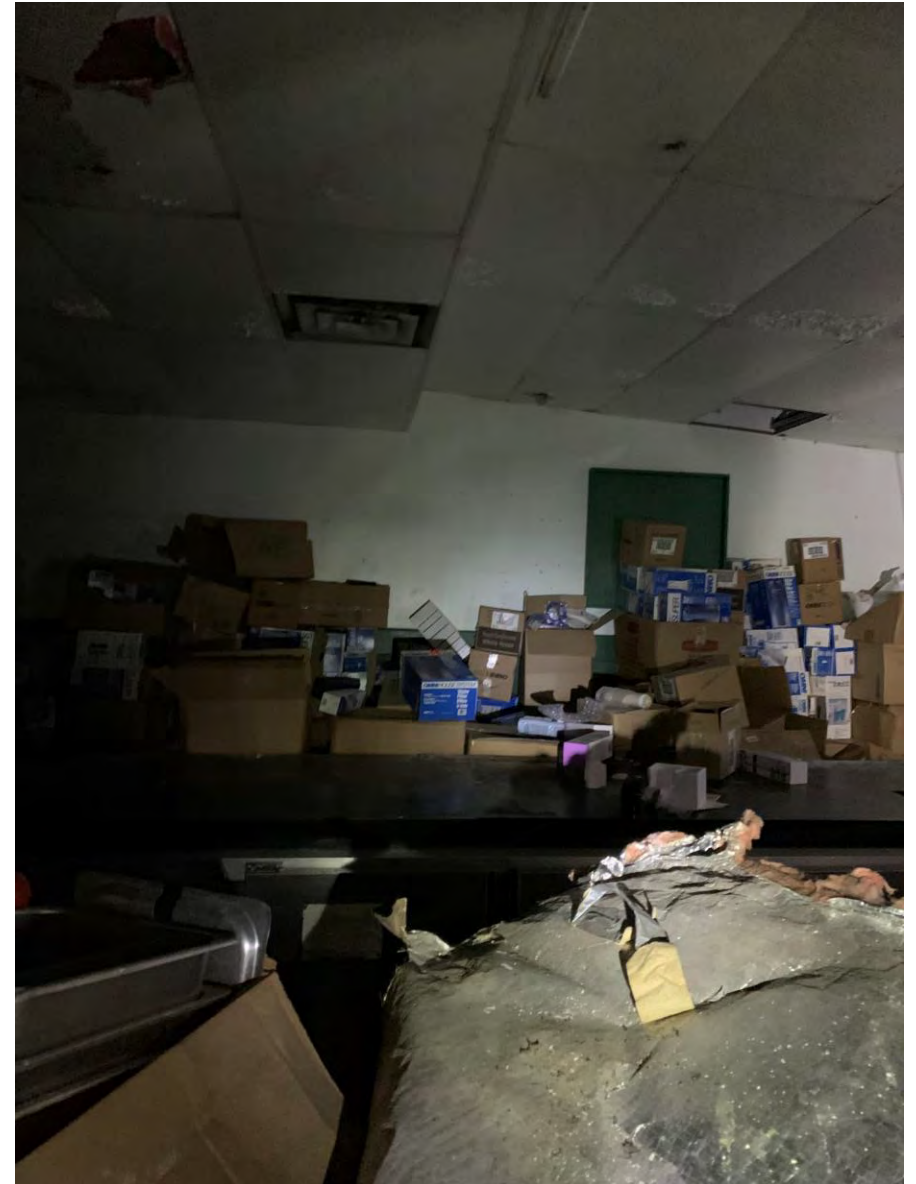


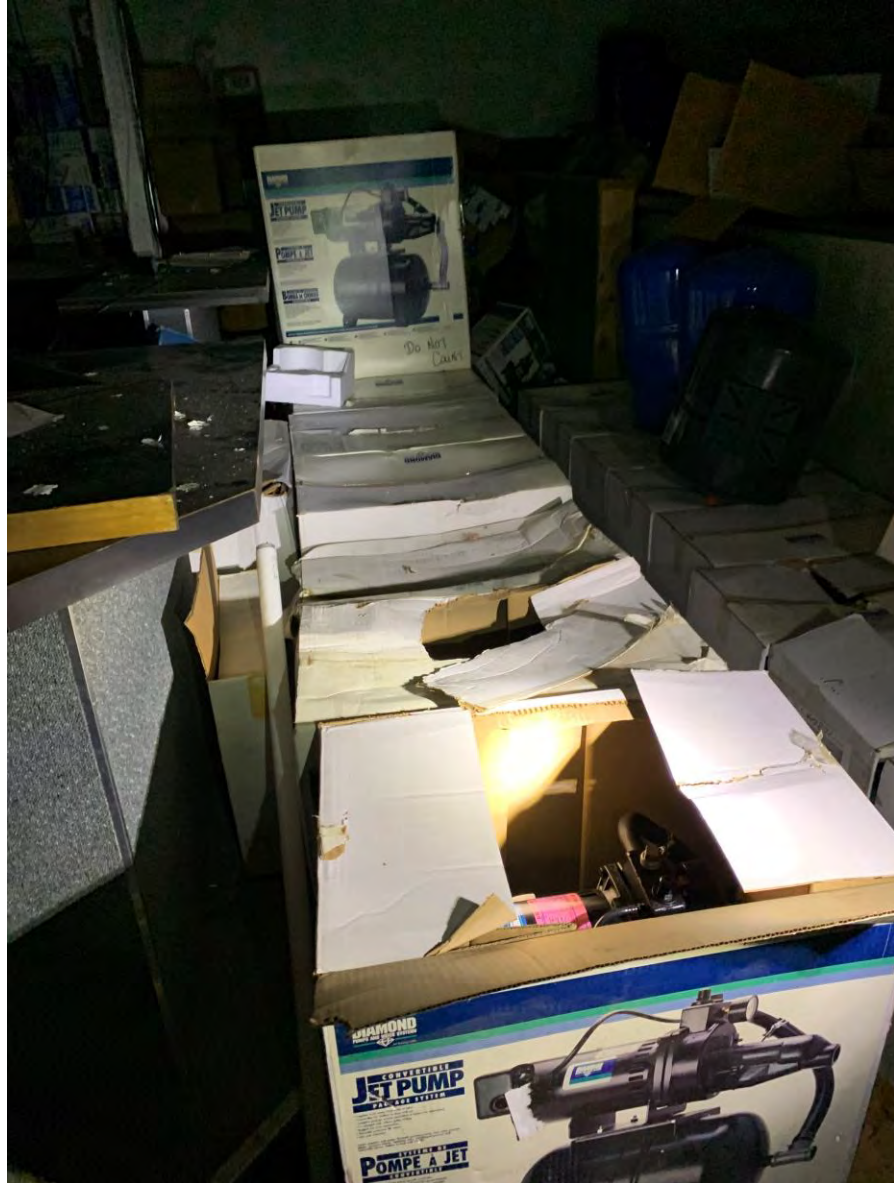




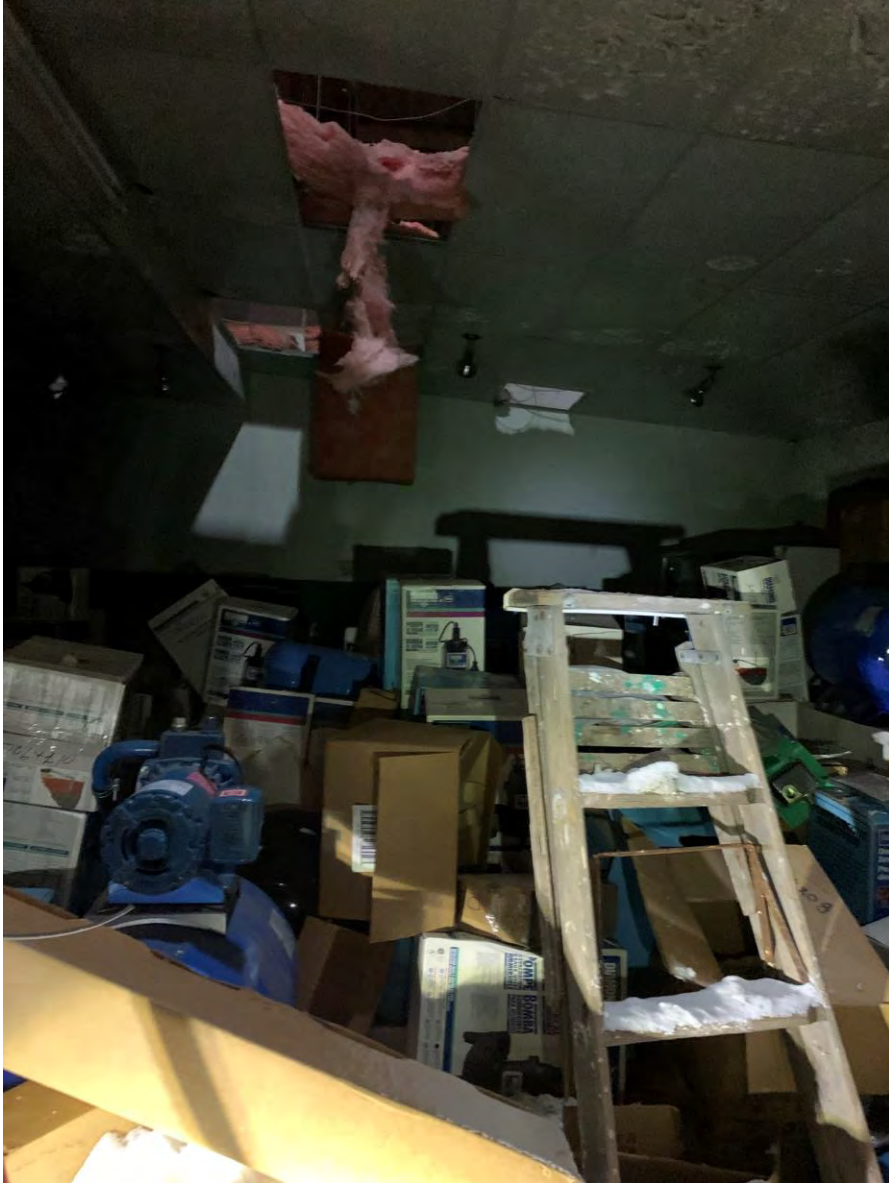








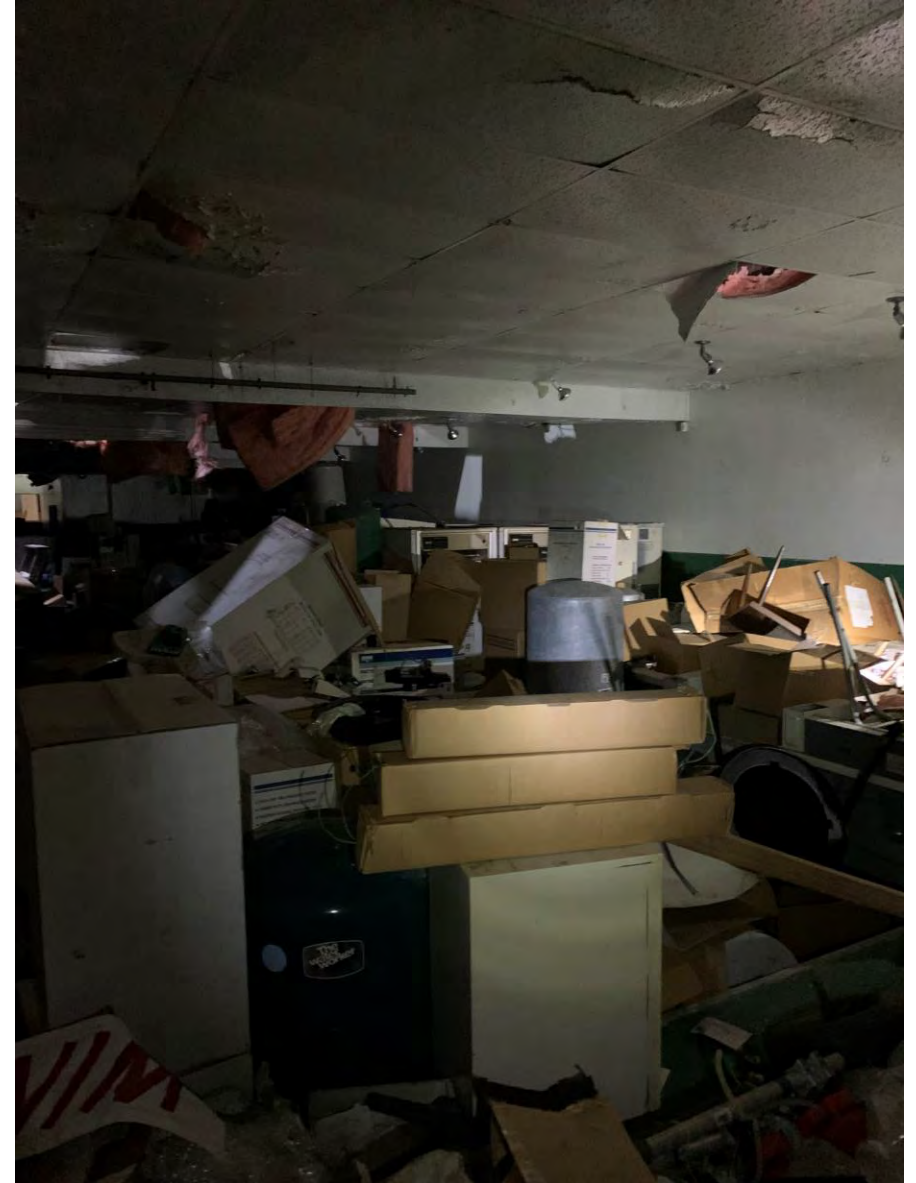


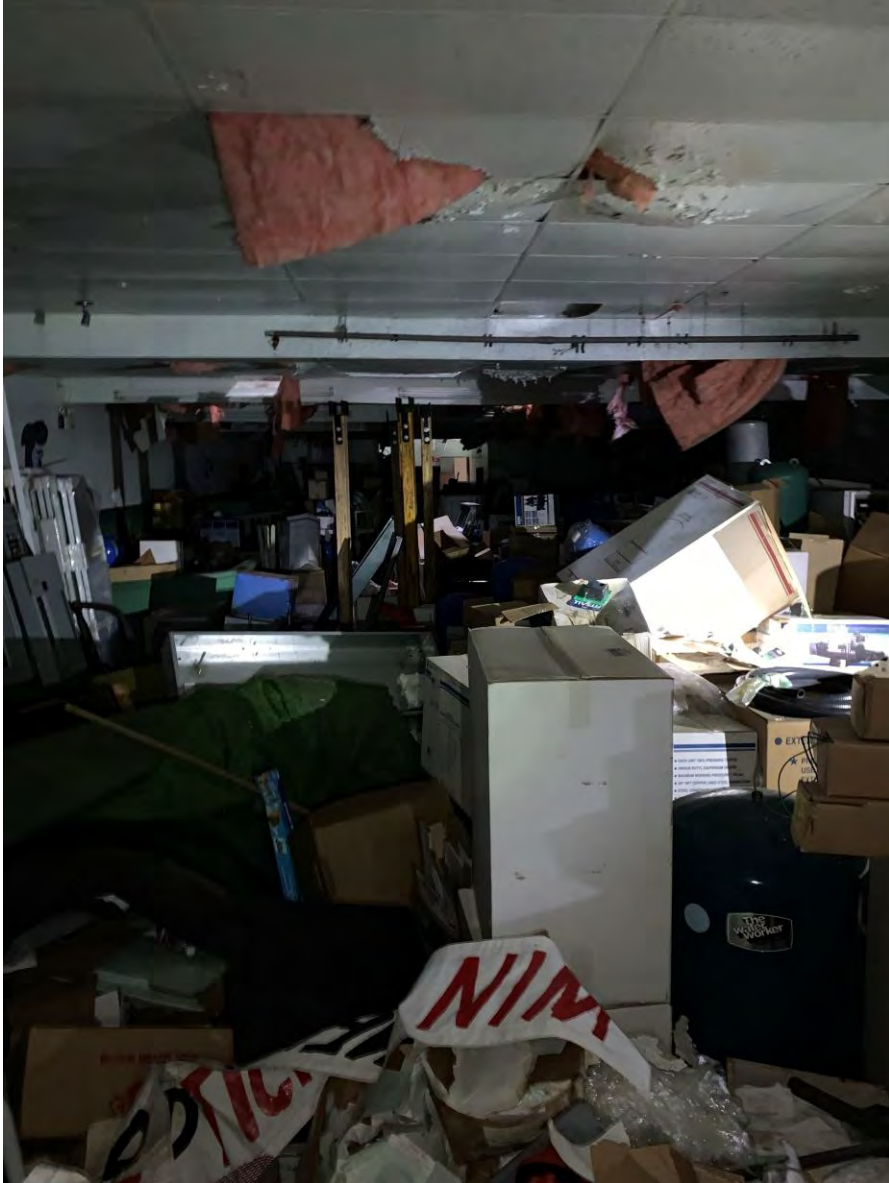












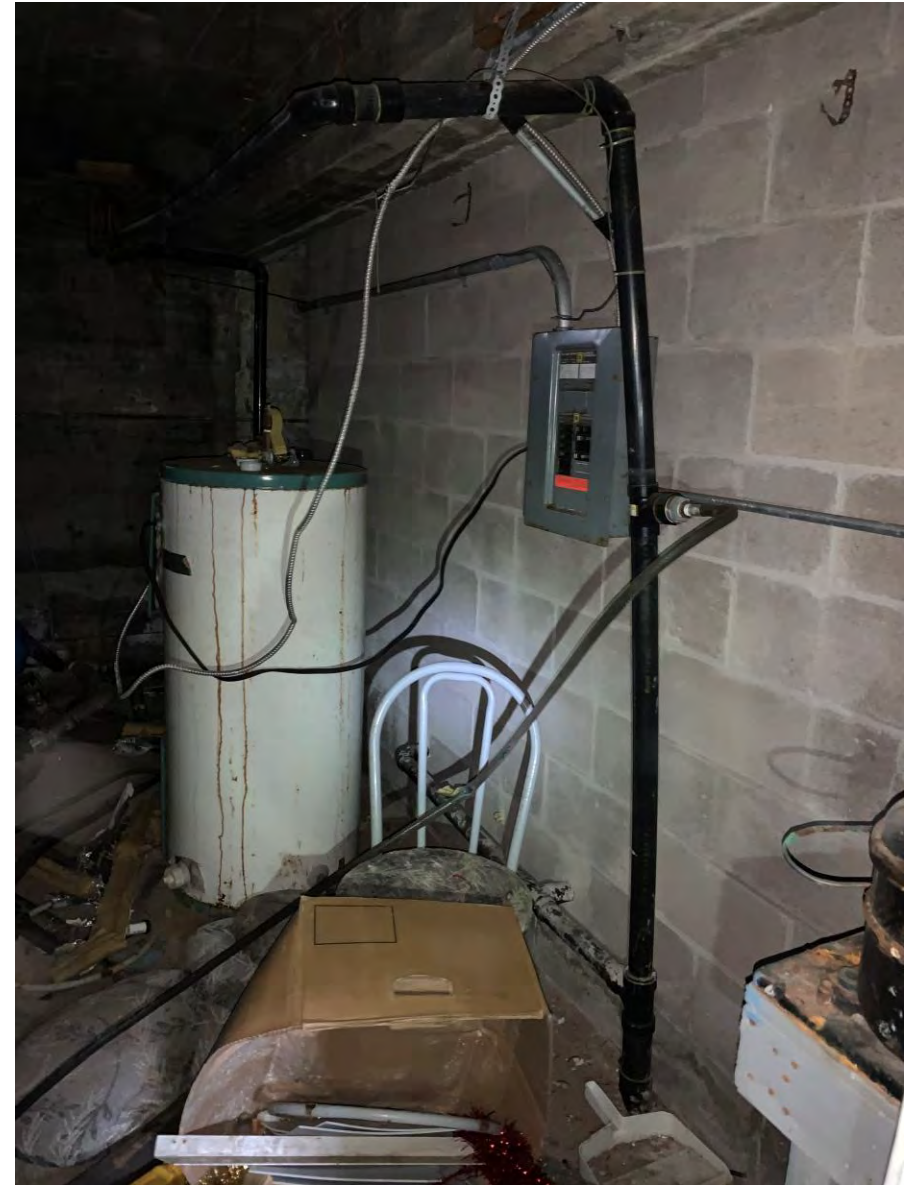






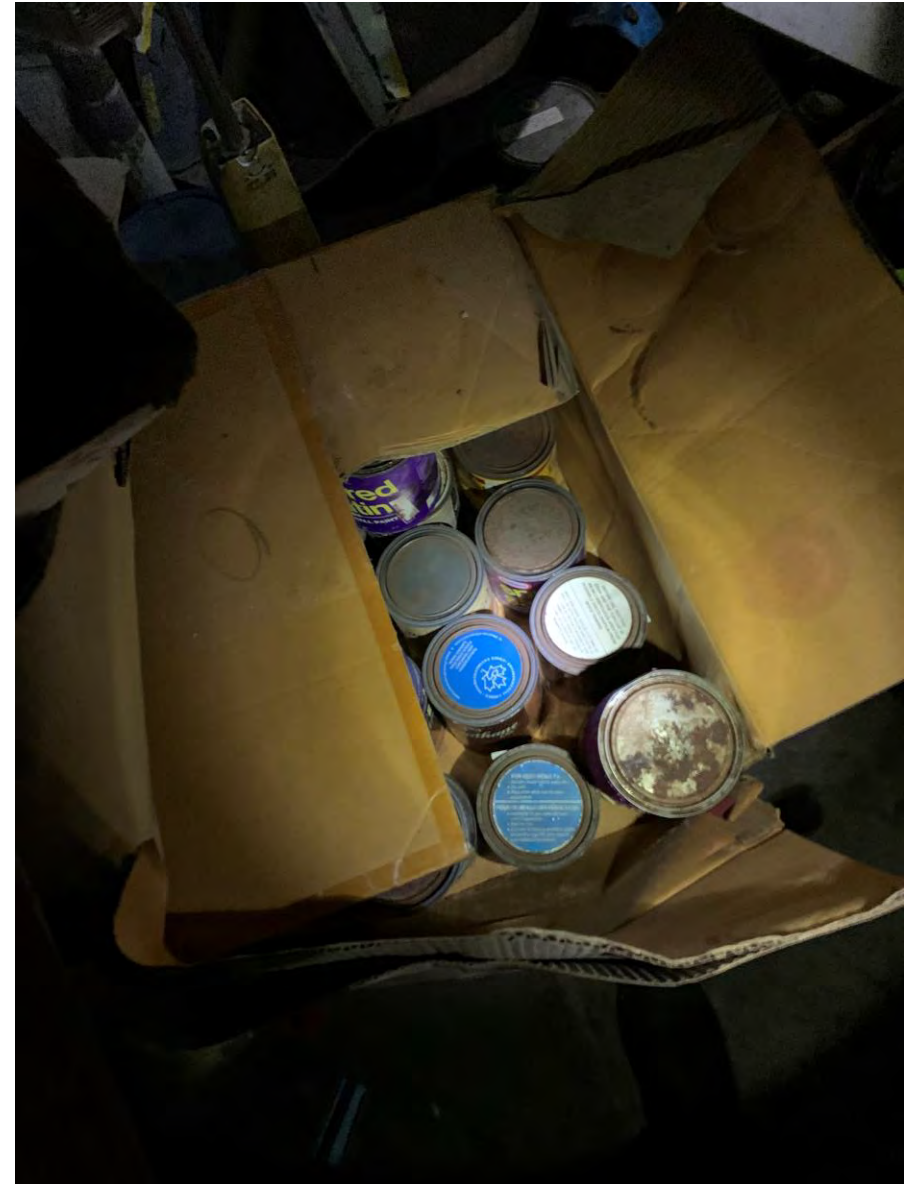


















Live Open Sockets



March 25, 2024 – Follow-up Inspection



April 4, 2024 – Follow-up Inspection











April 29, 2024 – Follow-up Inspection



July 16, 2024 – Follow-up Inspection





July 17, 2024 – Temporary Fencing



- An attempt was made overnight to break into the basement of the building (facing Station Street).

MEMO

TO: Planning Advisory Committee

FROM: Emily Wainwright, Dangerous & Unsightly Premises Administrator

DATE: September 25, 2024

RE: Update: 32 Park Street (PID: 25025362)

Registered Owner: Karen McKinnon & Stephen Parsons

Update:

At the July 2, 2024, meeting of the Planning Advisory Committee, the committee ordered the demolition of the building located at 32 Park Street within 90 days of that meeting. On August 25th, we received communication from the new owner. An application for a demolition permit was received on September 16th, and the permit was issued the following day. There appears to be significant process occurring at the property and it has been confirmed with the contracted company that the building is scheduled to be demolished by mid-October.

