



Town of Amherst  
Planning Advisory Committee Meeting  
Agenda

Date: **Monday, June 2, 2025**  
Time: **4:30 pm**  
Location: **Council Chambers, Town Hall**

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	Pages
<b>1. Call to Order</b>	
<b>1.1 Territorial Acknowledgement</b>	
“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.”	
<b>2. Approval of Agenda and Acceptance of Minutes</b>	
<b>2.1 Approval of the Agenda</b>	
<b>2.2 Acceptance of the Minutes - April 7, 2025</b>	1 - 4
<b>3. 27 Westminster Avenue</b>	
<b>3.1 Staff Report</b>	5 - 26
<b>3.2 Owner / Representative Questions/Comments to PAC</b>	
<b>3.3 Complainant / Representative Questions/Comments to PAC</b>	
<b>4. 16 Rupert Street</b>	27 - 37
<b>4.1 Staff Report</b>	
<b>4.2 Owner / Representative Questions/Comments to PAC</b>	
<b>4.3 Complainant / Representative Questions/Comments to PAC</b>	
<b>5. 77 Station Street Verbal Update</b>	

## 6. Adjournment

**Town of Amherst  
Planning Advisory Committee  
Minutes**

**Date:** April 7, 2025  
**Time:** 4:30 pm  
**Location:** Council Chambers, Town Hall

**Members Present** Ronald Wilson, Citizen Representative, Chair  
Jim Lamplugh, Citizen Representative, Vice Chair  
Councillor Terry McManaman  
Paul Diamond, Citizen Representative

**Members Absent** Councillor Charlie Chambers  
Councillor Dwayne Ripley

**Staff Present** Jason MacDonald, Chief Administrative Officer  
Andrew Fisher Director, Planning & Economic Development  
Torben Laux, Planner  
Marc Buske, Building Official  
Emily Wainwright, Dangerous/Unsightly Premises Administrator  
Sean Payne, Corporate Communications Officer  
Natalie LeBlanc, Municipal Clerk  
Cindy Brown, Administrative Assistant

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**1. Call to Order**

The Chair called the meeting to order.

**1.1 Territorial Acknowledgement**

The Chair gave the Territorial Acknowledgement.

**2. Election of Chair and Vice Chair**

The Clerk asked for nominations for the position of Chair. Jim Lamplugh nominated Ron Wilson. The Clerk called for any further nominations, there being none, Ron Wilson accepted the position of Chair. The Clerk then asked for nominations for the position of Vice Chair. Ron Wilson nominated Jim Lamplugh. The Clerk called for any further nominations, there being none, Jim Lamplugh accepted the position of Vice Chair.

**3. Approval of Agenda and Acceptance of Minutes**

**3.1 Approval of the Agenda**

**Moved By: Jim Lamplugh**

**Seconded By: Councillor McManaman**

**That the agenda be approved as circulated.**

**Motion Carried**

**3.2 Acceptance of the Minutes - March 3, 2025**

The Chair called for any errors or omissions in the minutes. There being none, the minutes of the March 3, 2025 meeting of the Planning Advisory Committee were accepted as included in the agenda package.

**3.3 Acceptance of the Minutes - March 25, 2025**

The Chair called for any errors or omissions in the minutes. There being none, the minutes of the March 25, 2025 meeting of the Planning Advisory Committee were accepted as included in the agenda package.

**4. 112 West Victoria Street Development Agreement Application**

**4.1 Staff Report**

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

**Moved By: Jim Lamplugh**

**Seconded By: Councillor McManaman**

**That the Planning Advisory Committee recommend that Council enter into the Development Agreement for 112 Victoria Street West Development as drafted.**

**Motion Carried**

**4.2 Public Participation Opportunity Summary (with letters of concern)**

Information item only.

**5. 100 Russell Street Development Agreement Application**

**5.1 Staff Report**

Torben Laux presented the application for a Development Agreement on the property located at 100 Russell Street (PID 25031139) to permit the construction of 6, 42-unit apartment buildings, 38 Stacked Townhouses, and 14 Stacked Bungalows.

Mr. Lamplugh asked about the 10 acres to be left as green space as proposed, and what this would look like. Mr. Fisher replied that staff need more details from the developer regarding this.

Councillor McManaman asked for confirmation that development was not planned to start until 2028, which Mr. Fisher confirmed.

Mr. Wilson asked about access to and from the street indicating he feels this needs further discussion around flow of traffic and how each phase of the proposal would affect traffic access and egress to and from the site. Mr. Wilson also asked about water, sanitary and storm infrastructure and who would be responsible for the increase of usage anticipated due to this proposal, the Town or the developer? He added he believes the stormwater flows into the proposed site and would like confirmation that the Town's infrastructure can handle the stormwater and sanitary capacity that would be increased due to this development. He further expressed his concern with the neighboring properties along Russell Street, and asked if the developer could redesign the layout of the proposal to increase rear yard setbacks so there would be less impact on the current Russell Street residents.

**Moved By: Councillor McManaman**  
**Seconded By: Paul Diamond**  
**That the Planning Advisory Committee defer a recommendation to allow additional time for further staff review and identify any additional information and /or changes to the proposal that may be requested.**

**Motion Carried**

**5.2 Public Participation Opportunity Summary**  
Information item only.

- 6. Municipal Planning Strategy / Land Use Bylaw**  
**Moved By: Councillor McManaman**  
**Seconded By: Jim Lamplugh**  
**That the Planning Advisory Committee recommend that Council adopt the draft Municipal Planning Strategy and corresponding Land Use Bylaw as drafted.**

**Motion Carried**

**7. 27 Station Street (Amherst Train Station) - Heritage Property**

Jason MacDonald left the meeting at this time.

Mr. Fisher reviewed his memo included in the agenda package indicating that drawings have been submitted to staff for an exterior staircase to be added to the north-facing side of the Railway Station at 77 Station Street to permit public access to the upper level. The train station is privately owned but is a municipally registered property. Under the Nova Scotia Heritage Property Act, an alteration considered substantial must be reviewed by the Heritage Advisory Committee who make a recommendation to Council.

Councillor McManaman asked what the proposed use for the upper level is? Mr. Fisher replied he is not sure.

Mr. Lamplugh asked if the upper level could be accessed from the inside of the building. Mr. Fisher replied there is a stairwell inside of the building however it is not conveniently located for public use. Mr. Lamplugh asked if the exterior staircase would be required as a fire exit if the upper level was to be used by the public, Mr. Fisher replied yes. He also wanted to know the what the upper level would be used for, would it be a meeting room and how important is it to the owner to have use of the upper level. Mr. Fisher replied that the use of the upper level is outside of the Committee's mandate, and that the question before the HAC is if the stairway as proposed significantly detracts from the heritage value of the building. Mr. Lamplugh feels the staircase as proposed aesthetically diminishes the look of the building. He wants more insight into what the upper level will be used for, and is concerned with what the long-term effects of adding these stairs could have.

Mr. Wilson asked if the staircase could be brought in closer to the building. The Building Official replied that is a code issue and that a landing is required and it cannot be straight stairs. He further indicated that the second staircase is required to not limit the number of people permitted on the upper level.

Mr. Lamplugh asked if the staircase could be erected at the back of the building. Mr. Fisher replied no as the railway controls space between the railway and the building.

Councillor McManaman feels the staircase is an improvement that would assist with the usage of the building, he would not want to see the building be torn down due to it not being used.

Mr. Diamond asked if it is a requirement that the staircase be solid as proposed. The Building Official replied that the new building code recently adopted on April 1<sup>st</sup> requires risers to be covered.

**Moved By: Jim Lamplugh**

**That the Planning Advisory Committee recommend the Council not approve the proposed staircase to be added to the north end of the Train Station.**

There being no seconder for the motion, the motion was lost.

**Moved By: Councillor McManaman**

**Seconded By: Paul Diamond**

**Defer a recommendation and request changes or additional information, including what the upper level will be used for.**

Against (4): Ronald Wilson, Jim Lamplugh, Councillor McManaman, and Paul Diamond

**Motion Defeated**

**Moved By: Paul Diamond**

**Seconded By: Jim Lamplugh**

**That the Planning Advisory Committee recommend the Council approve the proposed staircase to be added to the north end of the Train Station.**

Against (1): Jim Lamplugh

**Motion Carried**

**8. Dangerous and Unsightly Premises Demolition Verbal Update**

Emily Wainwright gave a verbal update on two properties that have been approved by the Committee for demolition. The first one being 77 Station Street noting that she has been in contact with CN and VIA Rail and has received their information required to form part of the Request for Proposals for demolition. She added that once the Request for Proposals has been awarded there is a minimum four month waiting period for CN to review the site and execution plans and give their approval to begin work. She will continue to update the Committee as more information becomes available. Ms. Wainwright also updated the Committee on 19 Spring Street advising that there has been no further action to date.

**9. Adjournment**

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

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Natalie LeBlanc  
Municipal Clerk

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Ron Wilson  
Chair

To: Planning Advisory Committee  
From: Emily Wainwright, Dangerous and Unsightly Premises Administrator  
Date: June 2, 2025  
Re: Recommendation for Demolition of 27 Westminster Avenue (PID 25001371)

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**Registered Owners** Ethel Morelli  
Terri-Lynn Nichol

**Property** 27 Westminster Avenue  
Amherst, Nova Scotia  
B4H 3V1



## **Background**

On May 22, 2024, the property was identified by the Administrator as Dangerous or Unightly as part of Section 20 of the Town of Amherst Dangerous or Unightly Premises Policy, 66150-01:

*The Administrator shall survey all streets at least twice per year, typically in the spring and fall, to identify properties that fall within the definition of dangerous or unsightly as defined under the Municipal Government Act.*

A dilapidated front deck was originally noted and upon further inspection of the building there was concern of severe structural fatigue due to the large stress cracks in the foundation. The foundation on the right side of the building showed to be collapsing inward. The rear addition of the building is also in extremely poor condition, where the main beam has collapsed, and the structure is separating from the remainder of the building. A complete interior inspection was conducted on August 15, 2024.

## **Inspection – August 15, 2024 (10:00am)**

The property owner, Marc Buske (Building Official II), and I were present for the inspection. The following was noted and photographed at 27 Westminster Avenue:

- The building is vacant, secured and the property is maintained.
- The accessory building appears to be in poor condition.
- Power has been disconnected but there is still power to the meter. It was recommended to the owner to have the power lines completely disconnected.
- The roof appears to be in good condition and weathertight.
- The front deck is in a state of serious disrepair, has partially collapsed, and has few footings making contact with the deck.
- The rear addition is in a state of serious disrepair and is separating from the main building.
- There is a stress fracture in the front bay window.
- There are significant signs of structural fatigue as the foundation is bowing inwards towards the building and large stress fractures are found on all 4 corners of the foundation.
- The basement is no longer weathertight and has a significant amount of stagnant water.
- Bowing is occurring on the right side of the building.
- The right side of the building is now floating as the foundation has bowed inwards.
- The main floor wall dividing the kitchen and living room is showing signs of structural fatigue and sag.
- Water was been disconnected from the building in 2012.



**Property History**

May 22, 2024	Initial site visit.
May 31, 2024	Notice was sent to the owner to contact us regarding an interior inspection.
August 8, 2024	Interior inspection was scheduled for August 15, 2024 at 10:00am.
August 15, 2024	Interior inspection completed with owner and Building Official II.
April 16, 2025	Follow-up inspection and Posted Notice of May PAC.
May 1, 2025	Informed owner May PAC was cancelled. Mailed copy of demolition permit application to owner.
May 16, 2025	Follow-up inspection and Posted Notice of June PAC. Mailed copy of demolition permit application to owner.

**Conclusion**

It was observed on April 16<sup>th</sup>, 2025 that the front and right-facing walls of the building have begun to cave inward since the last inspection. Foundation cracks now measure up to 3 inches at their widest points, and significant structural failure is evident on all sides. The building is currently secured, and there is no indication of transient activity on the property. However, as deterioration continues, the safety of anyone entering the building, including emergency responders, may be at risk.

Given these serious structural issues, and based on the assessment of the Building Official II, the building is recommended for demolition. On or around August 2024, the owner verbally acknowledged the need for demolition and expressed an intention to proceed. However, they cited unforeseen circumstances as the reason for the delay, and no demolition permit application has been submitted to date. Staff are recommending below that the committee order that a demolition be completed by October 1<sup>st</sup> to provide ample time for the owner to complete the work

**Relevant Municipal Government Act Interpretations**

- (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) *an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,*



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

### **Attachments**

1. 20240826 Building Official Report
2. Pictures of 27 Westminster Avenue

### **Options**

**Option One** That the building and accessory building located at 27 Westminster Avenue (PID 25001371) be demolished, with all contents and materials being properly disposed of, and the hole back filled, by October 1, 2025, with all work to be done by the property owner. Failure by the property owner to complete the required work will result in the Town of Amherst completing the work and sending all contents and materials to appropriate facilities, with all costs incurred being placed on the property owners tax account.

Option Two That the Planning Advisory Committee directs staff to hire an independent, qualified contractor to complete an assessment of the building and accessory building and report how deficiencies can be rectified to meet the National Building Code, 2020, and the Minimum Standards for Residential Occupancies Bylaw, P-4. All incurred fees will be placed on the property owners tax account.

Option Three That the Planning Advisory Committee directs staff to continue to monitor the property and bring any new issues that arise back to the committee.

### **STAFF RECOMMENDATION: Option one**





**To:** Emily Wainwright, Dangerous and Unsightly Administrator

**From:** Marc Buske, Building Official II

**Date:** August 26, 2024

**RE:** Site Inspection – 27 Westminster Street, Amherst – PID # 25001371

At the request of Amherst’s Dangerous and Unsightly Administrator, an inspection was made at 27 Westminster Street, Amherst, Nova Scotia on August 15, 2024.

The following was noted and photographed.

		The roof and siding are in good condition. The windows on the main floor and second level are in good condition. The windows in the basement have been cracked or have fallen out due to the foundation failure.
		The foundation at the front and back of the house has developed severe cracks due to the foundation walls collapsing inward.
		The foundation wall on the driveway side has experienced significant structural failure, causing part of it to collapse into the basement. This has compromised the stability of the wall above, which is no longer properly supported by the foundation.
		This is the foundation on the driveway side, viewed from the interior. It shows additional signs of structural failure.

The interior of the house is in relatively good shape, but there is water damage throughout. There are signs that the building has been without heat and maintenance for years. As a result, the interior is beginning to show signs of rot and decay.

My recommendation is to demolish this building due to significant foundation failure and inadequate support for the structure. The compromised foundation has led to a critical lack of support for the load-bearing wall above, which is now at a high risk of structural collapse.

Best Regards,

Marc Buske  
Building Official II  
Development Officer  
Town of Amherst  
(902) 667-3352



**27 Westminster Avenue**



The rear addition is starting to separate from the structure.



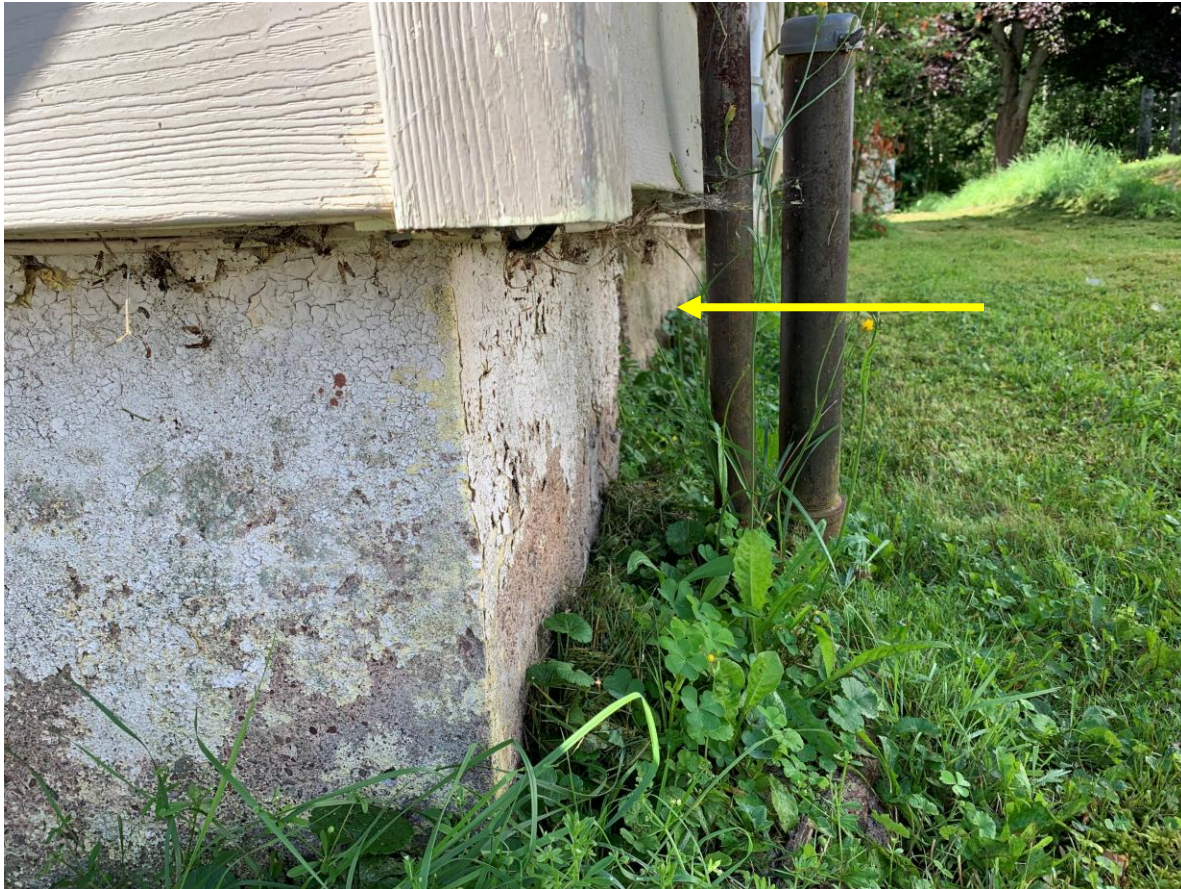
All 4 corners of the foundation have significant signs of structural failure



All 4 corners of the foundation have significant signs of structural failure



Right foundation wall is caving inwards



Right wall is floating, no longer on foundation



Right wall is floating, no longer on foundation



Right wall is floating, no longer on foundation



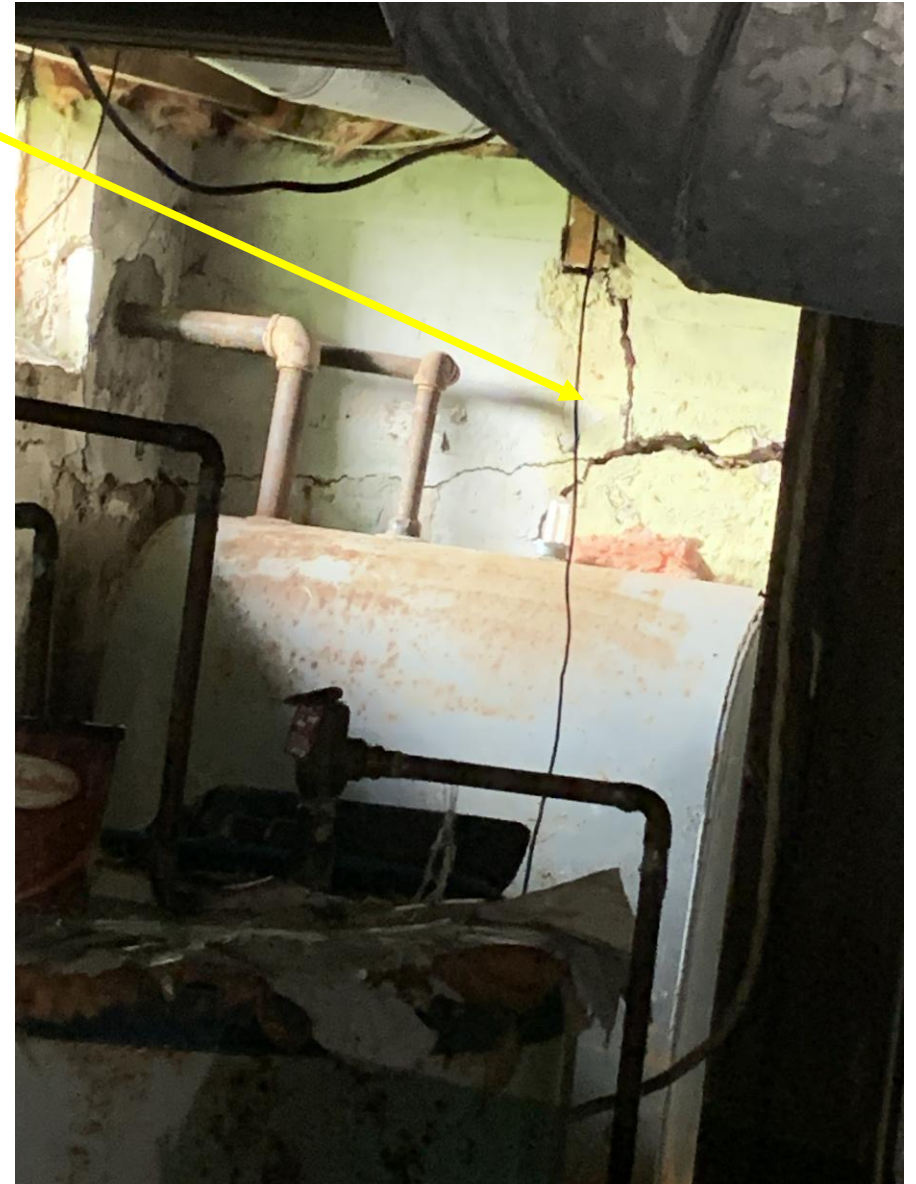
Wall/ceiling starting to sag



# Wall/ceiling starting to sag



# Significant cracks in foundation



April 16, 2025 – 2:30pm



Front Right  
Corner





Back Right  
Corner





Back Left  
Corner





Front Left  
Corner



Front wall collapsing inward



Front Wall  
(Load-bearing)



Front Wall  
(Load-bearing)

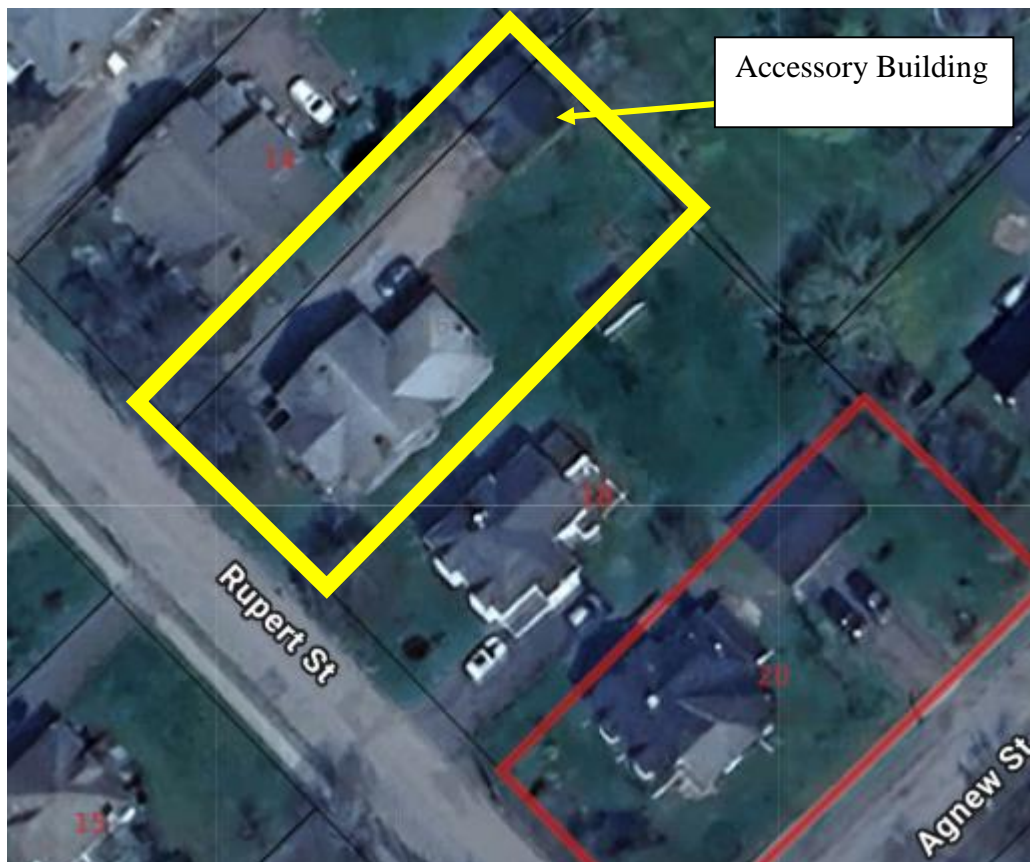


To: Planning Advisory Committee  
From: Emily Wainwright, Dangerous and Unsightly Premises Administrator  
Date: June 2, 2025  
Re: Recommendation for Demolition of Accessory Building at 16 Rupert Street (PID 25030156)

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**Registered Owner** Gerald Barillas

**Property** 16 Rupert Street  
Amherst, Nova Scotia  
B4H 3S4



**Background**

A complaint was received on February 10, 2025, regarding the condition of the accessory building located at 16 Rupert Street, and an inspection of the exterior was completed the same day. The building was not secured, but entry into the building was determined to be unsafe at that time. A follow-up inspection with myself and the Building Official II was completed on February 12, 2025 when interior access was achieved to complete an assessment.

**Inspection – February 12, 2025**

Marc Buske (Building Official II) and I were present for the inspection. The following was noted and photographed at 16 Rupert Street:

- The structure is unsecured.
- The building is very close in proximity to the neighboring property.
- The building appears to be wired with non-metallic sheathed cable, but it is unclear if the electrical is still operational.
- Significant signs of dry rot.
- Structural failure of the roof rafters.
- Structural fatigue of the main beam; on the verge of collapse.
- The exterior walls are showing signs of structural fatigue and are beginning to twist.

**Property History**

February 10, 2025	Complaint; Initial site visit – exterior. Spoke to owner.
February 12, 2025	Follow-up inspection – interior.
February 13, 2025	Issued Notice to secure by February 28 <sup>th</sup> and repair structure by May 15 <sup>th</sup> .
February 21, 2025	Met with owner. Building secure. Stated the building should be repaired by May 15 <sup>th</sup> .
May 15, 2025	No progress.
May 16, 2025	Issued Notice of the June PAC meeting. Met with owner who has tried to contact a contractor. A list of local contractors was provided. He asked that the following information be forwarded to the committee as he would not be attending the June 2 <sup>nd</sup> meeting:



*I plan to hire a contractor to square it up and plywood it in [owner is speaking in regard to the dormer]. The barn inside is in good shape. I do plan on taking the dormer off. I am trying to get someone to do the work. I will start contacting people on Tuesday.*

**Conclusion**

Due to the significant structural deficiencies of the accessory building identified by the Building Official II, the accessory building should be considered for demolition. As the building continues to deteriorate, there is concern that the building will fully collapse in an uncontrolled manner.

Staff are recommending demolition below with a 90-day deadline to provide the owner ample time to hire a contractor to complete the work. The committee may want to consider a shorter deadline (ex. 60 days) to reduce exposure to the fall hurricane season.

**Relevant Legislative Authority**

Municipal Government Act	Section (r)(iii)	<i>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</i>
	Section (r)(iv)	<i>that is in a ruinous or dilapidated condition,</i>
	Section (r)(v)	<i>the condition of which seriously depreciates the value of land or buildings in the vicinity,</i>
	Section (r)(vii)	<i>that is an allurement to children who may play there to their danger,</i>
	Section (r)(viii)	<i>constituting a hazard to the health or safety of the public,</i>
	Section (r)(ix)	<i>that is unsightly in relation to neighbouring properties because the exterior finish of the building or structure or the landscaping is not maintained,</i>





Section (r)(x) *that is a fire hazard to itself or to surrounding lands or buildings,*

### **Attachments**

1. 202500212 Building Official Report
2. Pictures of 16 Rupert Street – Accessory Building

### **Recommendation**

**Option One** That the accessory building located at 16 Rupert Street (PID 25030156) be demolished, with all contents and materials being properly disposed of, and the hole back filled, by September 1, 2025, with all work to be done by the property owner. Failure by the property owner to complete the required work will result in the Town of Amherst completing the work and sending all contents and materials to appropriate facilities, with all costs incurred being placed on the property owners tax account.

Option Two That the Planning Advisory Committee directs staff to hire an independent, qualified contractor to complete an assessment of the accessory building and report how deficiencies can be rectified to meet the National Building Code. All incurred fees will be placed on the property owners tax account.

Option Three That the Planning Advisory Committee directs staff to continue to monitor the property and bring any new issues that arise back to the committee.

**STAFF RECOMMENDATION: Option one**



# MEMO

TO: Andrew Fisher, Director  
FROM: Marc Buske, Building Official 2  
DATE: February 12, 2025  
RE: Collapsing Accessory Building - 16 Rupert Street, PID 25030156

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## Background

Emily Wainwright, Dangerous and Unsightly Premises Administrator, requested that I accompany her for an inspection of a collapsing accessory building at 16 Rupert Street, Amherst, NS.

## Inspection

On the inspection, the following was noted:

1. The roof has a severe sag in the roofline due to a failed ridge beam and structurally compromised rafters that have collapsed.
2. The gable end of the roof has structurally failed and is beginning to collapse into the building.
3. Several roof rafters have failed or separated due to the structural instability of the collapsing roof.
4. At the gable end, loose structural components are hanging freely, posing a risk of collapse or falling debris, which could cause harm to a person.
5. The main beam of the building is sagging and shows signs of structural fatigue, which will eventually lead to structural failure. If the beam fails, the structure will collapse.
6. The roof joists show signs of dry rot and structural fatigue.





## Recommendation

Due to the current condition of the building, I believe that the additional snow load over the winter, combined with upcoming storms, will likely cause the structure to collapse.

This building poses a significant danger to anyone entering due to its compromised structural integrity. Therefore, I recommend that the building be secured immediately until it can be either repaired or demolished.

*Marc Buske*

Marc Buske  
Building Official 2  
Development Officer  
Cell 902.694.2318  
Email: [mbuske@amherst.ca](mailto:mbuske@amherst.ca)

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# 16 Rupert Street

Accessory Building



**Exterior walls showing signs of structural fatigue; beginning to fall inward and twisting**



**Main beam shows signs of structural fatigue; on verge of collapsing**



## Significant signs of dry rot.

