



Town of Amherst  
Planning Advisory Committee Meeting  
Agenda

Date: **Tuesday, September 2, 2025**  
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 Mi'kma'ki (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, the people of African descent 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 - 3
  3. **8 Newton Avenue**
    - 3.1 **Staff Report** 4 - 17
    - 3.2 **PAC Questions/Comments**
    - 3.3 **Complainant Questions/Comments to PAC**
    - 3.4 **Owner/Representative Questions/Comments to PAC**
  4. **Adjournment**

**Town of Amherst  
Planning Advisory Committee  
Minutes**

**Date:** August 11, 2025  
**Time:** 4:30 pm  
**Location:** Council Chambers, Town Hall

**Members Present** Ronald Wilson, Citizen Representative, Chair  
Councillor Charlie Chambers  
Councillor Terry McManaman  
Councillor Dwayne Ripley  
Paul Diamond, Citizen Representative

**Members Regrets** Jim Lamplugh, Citizen Representative, Vice Chair

**Staff Present** Andrew Fisher Director, Planning & Economic Development  
Torben Laux, Planner  
Marc Buske, Building Official  
Emily Wainwright, Dangerous/Unsightly Premises Administrator  
Natalie LeBlanc, Municipal Clerk  
Cindy Brown, Administrative Assistant  
Lori O'Connell, Marketing & Communications Officer

---

**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**

**Moved By: Councillor Ripley**

**Seconded By: Councillor Chambers**

**That the agenda of the Planning Advisory Committee be approved as circulated.**

**Motion Carried**

**2.2 Acceptance of the Minutes - June 2, 2025**

The Chair called for any errors or omissions in the minutes. There being none, the minutes of the June 2, 2025 meeting of the Planning Advisory Committee were accepted as included in the agenda package.

### 3. 2 York Street

#### 3.1 Staff Report

Emily Wainwright presented her report regarding 2 York Street (PID: 25002858), included in the agenda package, noting that several complaints have been filed against the property since 2021 particularly due to the build up of solid waste, and that most recently the building was significantly damaged by fire in November of 2024. Complaints have since been received due to its lack of maintenance and the presence of rodents in and around the building.

#### 3.2 PAC Questions/Comments

The Chair asked if there is any requirement for the site to be protected prior to demolition? The Administrator replied that an order to secure the premise had previously been issued however the property owner did not comply therefore the Town completed the work on the owner's behalf.

The Chair asked if power to the property has been disconnected to which the Administrator replied it was disconnected during the fire.

The Chair asked if the Administrator's ability to issue a Summary Offence Ticket (SOT) is something new? The Administrator replied that Council recently appointed her as a Special Constable giving her the ability to issue SOTs. The Chair asked what dollar amount a SOT could be issued for, the Administrator replied \$237.50 for each day the offence occurs.

#### 3.3 Complainant Questions/Comments to PAC

Shannon Livingstone, owner of 5 York Street, explained to the Planning Advisory Committee how the property at 2 York Street has affected her and her property, indicating that prior to the fire there had been issues with the tenants and drugs, weapons and the build up of solid waste. She further indicated that she continues to experience rodents and pests coming from the property even since the fire and has had to hire pest control to remove rats and rodents from her property. She has had difficulty renting her property and securing long term tenants due to these issues and is currently trying to sell it.

#### 3.4 Owner/Representative Questions/Comments to PAC

The owner was not in attendance.

**Moved By: Councillor Ripley**

**Seconded By: Councillor Chambers**

**That the Planning Advisory Committee recommends that the building located at 2 York Street (PID 25002858) be demolished, with all contents and materials being properly disposed of, and the hole back filled, by October 12, 2025, with all work to be done by the property owner. Failure by the property owner to complete the required work may result in the Town of Amherst issuing Summary Offence Tickets and / or completing the work and sending all contents and materials to appropriate facilities, with all costs incurred being placed on the property owners tax account.**

**Motion Carried**

**4. 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 and Unsightly Premises Administrator  
Date: September 2, 2025  
Re: Recommendation for Demolition of 8 Newton Avenue (PID 25024662)

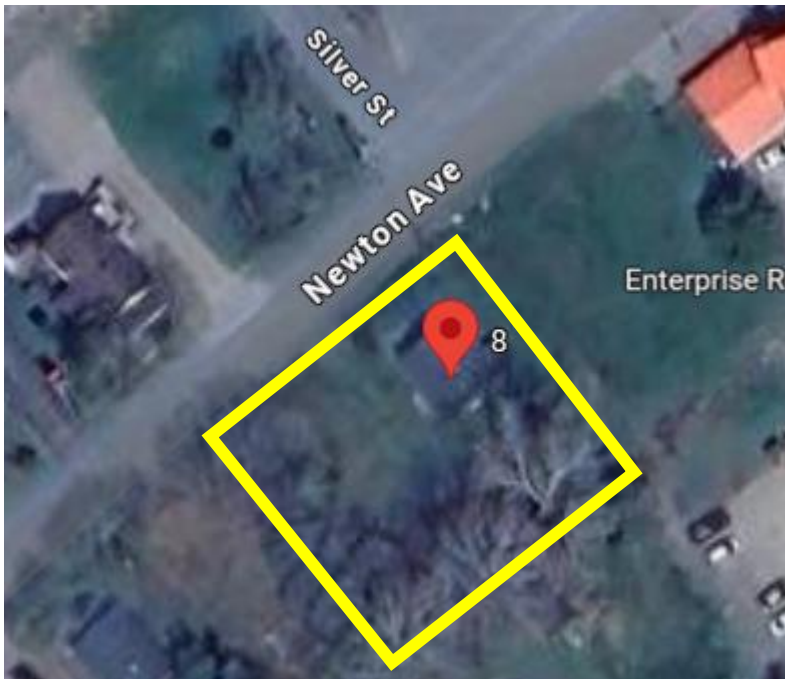
---

**Registered Owner** Joan Doucette & Richard Guenette

**Property** 8 Newton Avenue  
Amherst, Nova Scotia  
B4H 1J7

**Building Type** Single Detached Dwelling

**Zoning** Downtown Commercial



## **Background**

The subject property was most recently purchased at tax sale in July 2017. The interior of the building has been gutted back to the studs, with no operating power or water/sewer. A building permit was issued in October 2022 to raise the house and put on approved screw piles but has since expired and no progress had been made. The owner's intention is to repair the structure and bring it up to suitable living conditions under the National Building Code (2020).

## Inspection – August 11, 2025

On August 11, 2025, an interior inspection was conducted with the owner, Marc Buske (Building Official II) and myself being present. The following was noted and photographed:

- The building is secure.
- The property (grass) is being maintained.
- There is one accessory building on the lot.
- The exterior of the building is painted with wood shingles.
- The paint is in serious disrepair and is peeling in many places.
- The wooden shingles are in fair condition overall, but there are also signs of rot in several places.
- The roof is asphalt shingles and appears to be in relatively good shape.
- The chimney appears to be in good shape – although the owner advised that it will be removed.
- There is no foundation under the building. It sits on large rocks and on the ground.
- The power meter has been removed from the building, but power lines are still connected.
- There is one broken window that is boarded up.
- The screen door has a broken window.
- The building has been gutted and only the studs and floor remain.
- There is no heating source.
- There are no water/sewer hookups (disconnected).
- The building significantly sags towards the middle (under the chimney) – possible sign of a broken center support beam.

## Property History

### 2017

- **July 18** – Property purchased at Town of Amherst tax sale.

### 2025

- **July 29** – Complaint Received; Initial Site Visit.
- **August 11** – Interior Site Visit.
- **August 20** – Notice of PAC issued.

## Relevant Legislative Authority

*Municipal Government Act Section 3(r)(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*

Section 3(r)(iv)	<i>that is in a ruinous or dilapidated condition,</i>
Section 3(r)(v)	<i>the condition of which seriously depreciates the value of land or buildings in the vicinity,</i>
Section 3(r)(vi)	<i>that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,</i>
Section 3(r)(vii)	<i>that is an allurements to children who may play there to their danger,</i>
Section 3(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 3 (r)(x)	<i>that is a fire hazard to itself or to surrounding lands or buildings,</i>

## **Conclusion**

As noted above and within the attached August 26, 2025 Building Official memo, the building appears to be sitting on rock and soil with no foundation present. The floor is sloping toward the centre of the building, indicating that beams, joists and subfloor are significantly compromised. The building could be rehabilitated, but only at considerable cost. Required work would include the construction of a new foundation system, installation of new beams, replacement of floor joists and subflooring, and complete reinstatement of mechanical, plumbing, and electrical systems. The building is already showing progressive signs of rot and decay. If left unaddressed for a longer period, the deterioration will advance to the point where the structure can no longer be salvaged at a reasonable cost.

After discussions with the property owner, it is understood that their intent is to maintain the property and repair the structure in order to reside in the home. A building permit application form was provided to the owner; however, no application has been submitted to date.

Since the owner has expressed a desire to repair the structure, has cooperated with staff to this point, and there are no other property concerns or history of issues, it is appropriate to set a deadline of **September 1, 2026**, for demolition of the building. Demolition will proceed unless the owner demonstrates significant improvements to the structure before this deadline, including:

1. Installation of an approved foundation that complies with the **National Building Code (2020)**;
2. Completion of a subfloor that complies with the **National Building Code (2020)**;
3. Completion of the exterior, including weathertight windows, doors, and siding; and
4. Installation of a weathertight roof and fascia.

This timeline provides the property owner with a reasonable opportunity to either complete the required improvements or proceed with demolition at their discretion. It also ensures the Town retains sufficient time to carry out demolition, if necessary, before winter, when such work is typically more costly and difficult. By proceeding in this manner, the Town is proactively addressing the issue before the structure becomes a significant public hazard or safety concern.

### **Attachments**

1. 20250826 Building Official Report
2. 20250902 Pictures of 8 Newton Avenue

### **Recommendation**

Staff suggest the following three options for consideration:

**Option One** That the building located at 8 Newton Avenue (PID 25024662) be demolished, with all contents and materials being properly disposed of, and the hole back filled, by September 1, 2026, with all work to be done by the property owner; OR

**That the owner completes the following significant improvements before September 1, 2026:**

- 1) **The installation of an approved foundation that complies with the National Building Code (2020);**
- 2) **A completed subfloor that complies with the National Building Code (2020);**
- 3) **Completed exterior, including weathertight windows, doors, and siding; and**
- 4) **A weathertight roof and fascia.**

**Failure to complete either of the above may result in the Town of Amherst issuing Summary Offence Ticket(s) or completing the demolition, with all expenses charged to the owner.**

**Option Two** That the Planning Advisory Committee directs staff to hire an independent, qualified professional to complete an assessment of the building and report how deficiencies can be rectified to meet the National Building Code, 2020. 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: Planning Advisory Committee  
FROM: Marc Buske, Building Official 2  
DATE: August 26, 2025  
RE: Inspection - 8 Newton Avenue (PID 25024662)

---

On August 11, 2025, I was invited by Emily Wainwright, Dangerous and Unsightly Premises Administrator, to inspect the above-noted property. The structure is a small, wood-framed single-family dwelling. Based on exterior and limited interior review, it appears the building rests directly on rock and soil with no proper foundation system.

## Observations

- Roof: Roofing materials appear serviceable at this time, with no visible sagging or significant deterioration noted from the exterior.
- Siding: The wood siding is showing signs of weathering, rot, and decay, primarily due to age and lack of routine maintenance.
- Foundation: A proper foundation system is not present. The building appears to be set directly on rock and soil. Due to limited access, the underside of the structure could not be fully inspected at this time.
- Windows and Doors: Intact, but showing visible decay and deterioration as a result of inadequate upkeep.
- Interior Condition: The building has been fully gutted. All drywall, insulation, plumbing, and electrical systems have been removed.
- Wall System: Framing appears in fair condition relative to the age of the structure, with no immediate failure observed.
- Roof Structure: Roof framing appears to remain intact and in fair condition for the building's age.
- Floor System: The floor is sloping noticeably toward the center of the building. This movement is consistent with settlement due to the lack of a stable foundation. The slope indicates that beams, joists, and subfloor are significantly compromised.

## Conclusion

At the time of inspection, the building could be rehabilitated, but only at considerable cost. Required work would include the construction of a new foundation system, installation of new beams, replacement of floor joists and subflooring, and complete reinstatement of mechanical, plumbing, and electrical systems.

The building is already showing progressive signs of rot and decay. If left unaddressed for a longer period, the deterioration will advance to the point where the structure can no longer be salvaged at a reasonable cost.

# 8 Newton Avenue

(PID 25024662)

August 11, 2025







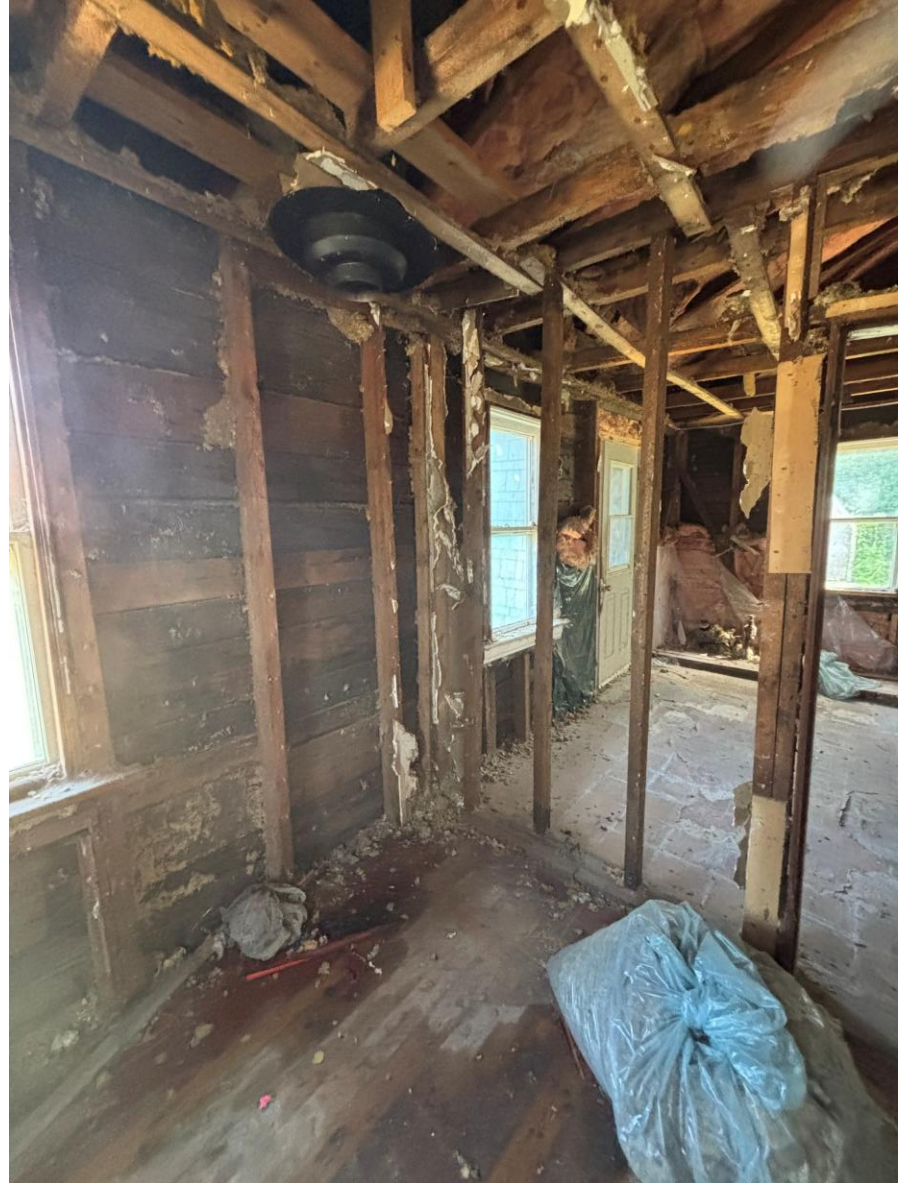




















Significant sag – possible broken support beam





