



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 allurement 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*