



**PUBLIC MINUTES  
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, October 14, 2015, 3:25 p.m.  
Committee Room B, City Hall**

**PRESENT:** Mr. Ian Oliver, Chair  
Mr. Michael Brockbank, Vice-Chair  
Mr. Roy Fleming, Member  
Mr. Donald Stiller, Member  
Mr. Dan Wiks, Member  
Secretary, Ms. Debby Sackmann

- 1. PROPERTY MAINTENANCE APPEAL NO. 07-2015  
BYLAW NO. 8175 – THE PROPERTY MAINTENANCE &  
NUISANCE ABATEMENT BYLAW, 2003  
DAVID CARPENTER  
1112 LORNE AVENUE  
(FILE NO. PMAB. 4410-015-007)**

Introductions were held. The Chair commenced the hearing at 3:25 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

**APPEARED FOR THE APPELLANT:**

Mr. David Carpenter

**APPEARED FOR THE RESPONDENT:**

Ms. Trudy Bartel, Municipal Inspector, Saskatoon Fire Department  
Mr. Wayne Rodger, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

**GROUND AND ISSUES:**

The Appellant, David Carpenter, launched an appeal under Section 56(1) of *Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003* and Section 329 of *The Cities Act*, in connection with an Order to Remedy Contravention for the property at 1112 Lorne Avenue. The Order to Remedy outlined the following:

**“1. CONTRAVENTION:**

An accumulation of cardboard boxes, plastic tubs, plastic bags, tarps, plastic pails, plastic containers, cardboard, shingles, new and used lumber, garbage, junk and debris stored on the property creates an unsightly condition and provides a home for rodents and insects. This situation is also creating a nuisance and is affecting the amenity of the neighbourhood.

**YOU ARE HEREBY DIRECTED TO:**

By no later than September 18, 2015, remove the accumulation of cardboard boxes, plastic tubs, plastic bags, tarps, plastic pails, plastic containers, cardboard, shingles, new and used lumber and all other garbage, junk and debris from the property.

Property Maintenance and Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 9, 12 and 14.

**2. CONTRAVENTION:**

Overgrown grass and weeds on this property exceed 20 centimetres in height.

**YOU ARE HEREBY DIRECTED TO:**

By no later than September 18, 2015, cut down and remove all overgrown grass and weeds from all areas of this property.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 8 and 14.

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.”

**EXHIBITS:**

Exhibit A.1: Notice of Appeal from David Carpenter to the Property Maintenance Appeals Board, received in City Clerk’s Office on September 15, 2015.

Exhibit B.1: Notice of Hearing dated September 30, 2015.

Exhibit R.1: Order to Remedy Contravention dated September 4, 2015, for the property at 1112 Lorne Avenue, received in City Clerk’s Office on September 4, 2015.

Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated August 25, 2015, received in the City Clerk’s Office on September 28, 2015.

Exhibit R.3: Inspection Report, submitted by the Municipal Inspector, dated July 6, 2015, received in the City Clerk’s Office on September 28, 2015.

Exhibit R.4: Site photographs, submitted by the Municipal Inspector, dated and received in the City Clerk’s Office on October 14, 2015.

**SUPPLEMENTARY NOTATIONS:**

The Respondent, Ms. Trudy Bartel, Municipal Inspector, and the Appellant, Mr. David Carpenter, affirmed that any evidence given in this hearing would be the truth.

The Respondent and Appellant gave evidence and argument as outlined in the Record of Decision dated October 26, 2015.

The hearing concluded at 3:38 p.m.

**RESOLVED:** That for the reasons outlined in the Record of Decision dated October 26, 2015, the Board determined that the requirements of the Order to Remedy Contravention, dated September 4, 2015, with respect to the property at 1112 Lorne Avenue be **UPHELD** and that the date for compliance be **EXTENDED** to **November 4, 2015**.

2. **PROPERTY MAINTENANCE APPEAL NO. 08-2015**  
***BYLAW NO. 8175 – THE PROPERTY MAINTENANCE & NUISANCE ABATEMENT BYLAW, 2003***  
**BRYAN PAWLACHUK**  
**101-929 NORTHUMBERLAND AVENUE**  
**(FILE NO. PMAB. 4410-015-008)**

Introductions were held. The Chair commenced the hearing at 3:56 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

**APPEARED FOR THE APPELLANT:**

Mr. Dean Mattison, Agent/Representative for Mr. Bryan Pawlachuk

**APPEARED FOR THE RESPONDENT:**

Ms. Yvonne Stove, Municipal Inspector, Saskatoon Fire Department  
Mr. Wayne Rodger, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

**GROUNDS AND ISSUES:**

The Appellant, Bryan Pawlachuk, launched an appeal under Section 56(1) of *Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003* and Section 329 of *The Cities Act*, in connection with an Order to Remedy Contravention for the property at 101-929 Northumberland Avenue. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

A sewer back up occurred which caused sewer water to enter the suite which saturated the flooring, drywall and baseboards in the living room, bathroom, storage room and bedroom of this suite.

This dwelling is not habitable at this time and does not meet minimum standards set out in the Property Maintenance and Nuisance Abatement Bylaw 8175 due to a number of deficiencies found in and on the property.

YOU ARE HEREBY DIRECTED TO:

Prior to occupancy, no person shall be allowed to occupy this dwelling unit until the suite has been repaired and restored back to a habitable condition.

This property shall be kept secured at all times to prevent unauthorized entry.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 12, 22, 29, 32, 36 and 41.

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.”

**EXHIBITS:**

- Exhibit A.1: Notice of Appeal from Bryan Pawlachuk to the Property Maintenance Appeals Board, received in City Clerk’s Office on September 11, 2015.
- Exhibit A.2: Authorization to Release Information and Appointment of a Representative/Agent form and Tax information sheet, received October 14, 2015.
- Exhibit B.1: Notice of Hearing dated September 30, 2015.
- Exhibit R.1: Order to Remedy Contravention dated August 28, 2015, for the property at 101-929 Northumberland Avenue, received in City Clerk’s Office on August 28, 2015.
- Exhibit R.2 Letter dated August 28, 2015, from Saskatoon Fire Department to B. Pawlachuk, received in City Clerk’s Office on October 8, 2015;
- Exhibit R.3 Community Services – Owner Report submitted by the Municipal Inspector, received in City Clerk’s Office on October 8, 2015;
- Exhibit R.4 Information Services Corporation – Quick Search Results dated August 28, 2015, submitted by the Municipal Inspector and received in City Clerk’s Office on October 8, 2015;

- Exhibit R.5 Letter dated September 11, 2015, from D. Mattison to Fire Chief, received in City Clerk's Office on October 8, 2015;
- Exhibit R.6 Information Services Corporation – Profile Report dated September 18, 2015, submitted by the Municipal Inspector and received in City Clerk's Office on October 8, 2015; and
- Exhibit R.7 Unclaimed Registered Letter and Order dated August 28, 2015, from Saskatoon Fire Department to B. Pawlachuk, received in City Clerk's Office on October 8, 2015.

**SUPPLEMENTARY NOTATIONS:**

The Respondent, Ms. Yvonne Stove, Municipal Inspector, and the Agent/Representative for the Appellant, Mr. Dean Mattison, affirmed that any evidence given in this hearing would be the truth.

The Respondent and Appellant gave evidence and argument as outlined in the Record of Decision dated October 26, 2015.

**RESOLVED:** That for the reasons outlined in the Record of Decision dated October 26, 2015, the Board determined that the requirements of the Order to Remedy Contravention, dated August 28, 2015, with respect to the property at 101-929 Northumberland Avenue be **UPHELD**.

3. **PROPERTY MAINTENANCE APPEAL NO. 09-2015  
BYLAW NO. 8175 – THE PROPERTY MAINTENANCE &  
NUISANCE ABATEMENT BYLAW, 2003  
BRYAN PAWLACHUK  
103-929 NORTHUMBERLAND AVENUE  
(FILE NO. PMAB. 4410-015-009)**

**APPEARED FOR THE APPELLANT:**

Mr. Dean Mattison, Agent/Representative for Mr. Bryan Pawlachuk

**APPEARED FOR THE RESPONDENT:**

Ms. Yvonne Stove, Municipal Inspector, Saskatoon Fire Department  
Mr. Wayne Rodger, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

**GROUND AND ISSUES:**

The Appellant, Bryan Pawlachuk, launched an appeal under Section 56(1) of *Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003* and Section 329 of *The Cities Act*, in connection with an Order to Remedy Contravention for the property at 103-929 Northumberland Avenue. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

Sewer back up occurred which caused sewer water to enter the suite which saturated the flooring, drywall and baseboards in the living room, bathroom, storage room and bedroom of this suite.

This dwelling is not habitable at this time and does not meet minimum standards set out in the Property Maintenance and Nuisance Abatement Bylaw 8175 due to a number of deficiencies found in and on the property.

YOU ARE HEREBY DIRECTED TO:

Prior to occupancy, no person shall be allowed to occupy this dwelling unit until the suite has been repaired and restored back to a habitable condition.

This property shall be kept secured at all times to prevent unauthorized entry.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 12, 22, 29, 32, 36 and 41.

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.”

**EXHIBITS:**

Exhibit A.1: Notice of Appeal from Bryan Pawlachuk to the Property Maintenance Appeals Board, received in City Clerk’s Office on September 11, 2015.

Exhibit A.2: Authorization to Release Information and Appointment of a Representative/Agent form and Tax information sheet, received October 14, 2015.

Exhibit B.1: Notice of Hearing dated September 30, 2015.

Exhibit R.1: Order to Remedy Contravention dated August 28, 2015, for the property at 103-929 Northumberland Avenue, received in City Clerk’s Office on August 28, 2015.

- Exhibit R.2 Letter dated August 28, 2015, from Saskatoon Fire Department to B. Pawlachuk, received in City Clerk's Office on October 8, 2015;
- Exhibit R.3 Community Services – Owner Report submitted by the Municipal Inspector, received in City Clerk's Office on October 8, 2015;
- Exhibit R.4 Information Services Corporation – Quick Search Results dated August 28, 2015, submitted by the Municipal Inspector and received in City Clerk's Office on October 8, 2015;
- Exhibit R.5 Letter dated September 11, 2015, from D. Mattison to Fire Chief, received in City Clerk's Office on October 8, 2015;
- Exhibit R.6 Information Services Corporation – Profile Report dated September 18, 2015, submitted by the Municipal Inspector and received in City Clerk's Office on October 8, 2015; and
- Exhibit R.7 Unclaimed Registered Letter and Order dated August 28, 2015, from Saskatoon Fire Department to B. Pawlachuk, received in City Clerk's Office on October 8, 2015.

#### **SUPPLEMENTARY NOTATIONS:**

The Respondent, Ms. Yvonne Stove, Municipal Inspector, and the Agent/Representative for the Appellant, Mr. Dean Mattison, affirmed that any evidence given in this hearing would be the truth.

The Respondent and Appellant gave evidence and argument as outlined in the Record of Decision dated October 26, 2015.

The hearing concluded at 4:18 p.m.

**RESOLVED:** That for the reasons outlined in the Record of Decision dated October 26, 2015, the Board determined that the requirements of the Order to Remedy Contravention, dated August 28, 2015, with respect to the property at 103-929 Northumberland Avenue be **UPHELD**.

#### **4. ADOPTION OF MINUTES**

**Moved By:** Mr. Donald Stiller

That the minutes of meeting held on July 8, 2015, be adopted.

**CARRIED**

The meeting adjourned at 4:30 p.m.

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Mr. Ian Oliver, Chair

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Ms. Debby Sackmann, Secretary