



**PUBLIC MINUTES  
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, November 16, 2016, 3:25 p.m.  
Committee Room B, City Hall**

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

**ABSENT:** Mr. Roy Fleming, Member

**ALSO PRESENT:** Ms. Trudy Bartel, Municipal Inspector, Saskatoon Fire Department  
Mr. Trent Lee, Municipal Inspector, Saskatoon Fire Department  
Mr. Wayne Rodger, Fire Marshal and Municipal Inspector,  
Saskatoon Fire Department

- 1. PROPERTY MAINTENANCE APPEAL NO. 09-2016  
BYLAW NO. 8175 – THE PROPERTY MAINTENANCE & NUISANCE  
ABATEMENT BYLAW, 2003  
TOM MILLER ON BEHALF OF BEDFORD ROAD RENTALS LTD.  
131 AVENUE M SOUTH – 16-ORC-133  
(FILE NO. PMAB. 4410-016-009)**

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. Tom Miller

**APPEARED FOR THE RESPONDENT:**

Mr. Trent Lee, Municipal Inspector, Saskatoon Fire Department  
Mr. Wayne Rodger, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

**GROUND AND ISSUES:**

The Appellant, Tom Miller on behalf of Bedford Road Rentals Ltd., 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 16-ORC-133 for the property at 131 Avenue M South. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

A junked vehicle is located on the property. A beige Dodge Sportsman/Empress motorhome that has been left in an abandoned condition, license plate is assessable due to growth of grass and weeds, and the accumulation of junk surrounding the camper. The vehicle displays graffiti on the driver's door, and the window on the driver's door is boarded up. The tires are low on air pressure and are sinking into the ground. It appears that the vehicle has not been operated this season and from the sinking conditions may possibly be years. This creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than October 13, 2016, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the beige Dodge motorhome is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, 10 and 14.

2. CONTRAVENTION:

A junked vehicle is located on the property. A grey Chevrolet Apache with attached SK license plate 243 HTM, has been left in an abandoned condition. It appears that the vehicle has not been operated this season and possibly years due to the amount of grass and weeds surrounding the truck. The wooden sides of the service body are not sitting vertically and the bed is full of garbage, including dead branches and construction material. This creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than October 13, 2016, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the Chevrolet truck with attached SK license plate 243 HTM, 2017, is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, 10 and 14.

3. CONTRAVENTION:

There is an overgrowth of grass and weeds on the property whose height is in excess of 20 cm.

YOU ARE HEREBY DIRECTED TO:

By no later than October 13, 2016, cut down the overgrowth of grass and weeds below 20 cm and properly dispose of the clippings.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3(h), 4, 5, 8, 12 and 14.

4. CONTRAVENTION:

There is an excessive accumulation of scrap metal, automobile tires, vinyl siding, pails, piles of brick, garbage bags, scrap lumber, old fencing, rusted metal railing, windows, doors, rebar, microwave, kitchen stove, tree branches and other junk and garbage. There is vegetation growing in and around some of the accumulation which points to the length of time that the accumulation has been sitting in this location. This situation is affecting the health and safety of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than October 13, 2016, remove the excessive accumulation of scrap metal, automobile tires, vinyl siding, pails, piles of brick, garbage bags, scrap lumber, old fencing, rusted metal railing, windows, doors, rebar, microwave, kitchen stove, tree branches and other junk and garbage from the property in order to reduce the risk of harm or damage to persons and property.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3(h), 4, 5, 9, 12 and 14.

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

As set out in the Notice of Appeal to the Property Maintenance Appeals Board (Exhibit A.1), the Appellant outlined the reasons for appealing, as follows:

“Request extension to Nov. 1, 2016 due to:

1. Weather
2. Having to track down former tenants, re: removing property of theirs and making application to rentalsman for order to dispose of same if they don't.

Some of the materials being used on house renovation:

1. Vinyl siding
2. 2 doors
3. Brick – piled and tarped would like them to remain.”

**EXHIBITS:**

Exhibit A.1: Notice of Appeal from Tom Miller to the Property Maintenance Appeals Board, received in City Clerk’s Office on October 11, 2016.

Exhibit B.1: Notice of Hearing dated October 31, 2016.

Exhibit R.1: Order to Remedy Contravention 16-ORC-133 dated September 27, 2016, for the property at 131 Avenue M South, received in City Clerk’s Office on September 28, 2016.

Exhibit R.2: Site photographs, submitted by the Municipal Inspector, received in City Clerk’s Office on November 9, 2016.

Exhibit R.3: Incident Report, submitted by the Municipal Inspector, dated July 23, 2008, received in City Clerk’s Office on November 9, 2016.

Exhibit R.4: Incident Report, submitted by the Municipal Inspector, dated April 3, 2012, received in City Clerk’s Office on November 9, 2016.

Exhibit R.5: Site photographs, submitted by the Municipal Inspector at the hearing, dated November 16, 2016.

**SUPPLEMENTARY NOTATIONS:**

The Respondent, Mr. Trent Lee, Municipal Inspector, and the Appellant, Mr. Tom Miller, affirmed that any evidence given in this hearing would be the truth.

The Appellant gave no evidence and argument as outlined in the Record of Decision dated November 25, 2016.

The Respondent gave evidence and argument as outlined in the Record of Decision dated November 25, 2016.

The hearing concluded at 3:31 p.m.

**RESOLVED:** That for the reasons outlined in the Record of Decision dated November 25, 2016, the Board determined that the requirements of the Order to Remedy Contravention 16-ORC-133, dated September 27, 2016, with respect to the property at 131 Avenue M South be **UPHELD**.

**2. PROPERTY MAINTENANCE APPEAL NO. 10-2016  
BYLAW NO. 8175 – THE PROPERTY MAINTENANCE & NUISANCE  
ABATEMENT BYLAW, 2003  
TOM MILLER ON BEHALF OF BEDFORD ROAD RENTALS LTD.  
133 AVENUE H NORTH – 16-ORC-138  
(FILE NO. PMAB. 4410-016-010)**

Introductions were held. The Chair commenced the hearing at 3:32 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

**APPEARED FOR THE APPELLANT:**

Mr. Tom Miller

**APPEARED FOR THE RESPONDENT:**

Mr. Trent Lee, Municipal Inspector, Saskatoon Fire Department  
Mr. Wayne Rodger, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

**GROUND AND ISSUES:**

The Appellant, Tom Miller on behalf of Bedford Road Rentals Ltd., 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 16-ORC-138 for the property at 133 Avenue H North. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

A junked vehicle is located on the property. A blue Chevy Astro van that has been left in an abandoned condition, there is no license plate VIN # 1GNDM19W3YB143275. The tires are low on air pressure and are sinking into the ground. It appears that the vehicle has not been operated this season and from the sinking conditions may possibly be years. This creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than October 14, 2016, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the blue Chevy Astro van VIN # 1GNDM19W3YB143275 is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, 10 and 14.

2. CONTRAVENTION:

A junked vehicle is located on the property. A Red Mazda Protégé with no attached license plate VIN# JM1BG2234R0754040, has been left in an abandoned condition. It appears that the vehicle has not been operated this season and possibly years due to the amount of grass and weeds surrounding the car. This creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than October 14, 2016, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the Mazda Protégé, vin# JM1BG2234R0754040 is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, 10 and 14.

3. CONTRAVENTION:

There is an overgrowth of grass and weeds on the property whose height is in excess of 20 cm.

YOU ARE HEREBY DIRECTED TO:

By no later than August 14, 2016, cut down the overgrowth of grass and weeds below 20 cm and properly dispose of the clippings.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3(h), 4, 5, 8, 12 and 14.

4. CONTRAVENTION:

There is an excessive accumulation of but not limited to scrap metal, automobile tires, vinyl siding, pails, piles of brick, stone, garbage bags, scrap lumber, old fencing, rusted metal railing, windows, doors, camper body, rebar, clothes washer, clothes dryer, appliances, car parts, fridge, fiberglass panels, metal trailer frame, eaves trough, down spouts, other construction materials, tree branches and other junk and garbage. There is vegetation growing in and around some of the accumulation which points to the length of time that the accumulation has been sitting in this location. This situation is affecting the health and safety of the neighbourhood.

**YOU ARE HEREBY DIRECTED TO:**

By no later than October 14, 2016, remove the excessive accumulation of but not limited to scrap metal, automobile tires, vinyl siding, pails, piles of brick, stone, garbage bags, scrap lumber, old fencing, rusted metal railing, windows, doors, camper body, rebar, clothes washer, clothes dryer, appliances, car parts, fridge, fiberglass panels, metal trailer frame, eaves trough, down spouts, other construction materials, tree branches and other junk and garbage from the property in order to reduce the risk of harm or damage to persons and property.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3(h), 4, 5, 9, 12 and 14.

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

As set out in the Notice of Appeal to the Property Maintenance Appeals Board (Exhibit A.1), the Appellant outlined the reasons for appealing, as follows:

“Request extension to Nov. 1, 2016, due to:

1. Weather
2. Having to track down former tenants re: removing property of theirs and making application to rentalsman for order to dispose of same if they don't.

Piles of brick to be used in spring to build patio in back yard in the spring to stay. Camper used as temporary storage shed while working on house to remain till spring?”

**EXHIBITS:**

Exhibit A.1: Notice of Appeal from Tom Miller to the Property Maintenance Appeals Board, received in City Clerk's Office on October 11, 2016.

Exhibit B.1: Notice of Hearing dated October 31, 2016.

Exhibit R.1: Order to Remedy Contravention 16-ORC-138 dated September 28, 2016, for the property at 133 Avenue H North, received in City Clerk's Office on September 28, 2016.

Exhibit R.2: Site photographs, submitted by the Municipal Inspector, received in the City Clerk's Office on November 9, 2016.

Exhibit R.3: Incident Report, submitted by the Municipal Inspector, dated August 13, 2009, received in City Clerk's Office on November 9, 2016.

Exhibit R.4: Site photographs, submitted by the Municipal Inspector at the hearing, dated November 16, 2016.

**SUPPLEMENTARY NOTATIONS:**

The Respondent, Mr. Trent Lee, Municipal Inspector, and the Appellant, Mr. Tom Miller, affirmed that any evidence given in this hearing would be the truth.

The Appellant gave no evidence and argument as outlined in the Record of Decision dated November 25, 2016.

The Respondent gave evidence and argument as outlined in the Record of Decision dated November 25, 2016.

The hearing concluded at 3:36 p.m.

**RESOLVED:** That for the reasons outlined in the Record of Decision dated November 25, 2016, the Board determined that the requirements of the Order to Remedy Contravention 16-ORC-138, dated September 28, 2016, with respect to the property at 133 Avenue H North be **UPHELD**.

Municipal Inspector Lee departed at the close of these appeals.

3. **PROPERTY MAINTENANCE APPEAL NO. 11-2016**  
***BYLAW NO. 8175 – THE PROPERTY MAINTENANCE & NUISANCE***  
***ABATEMENT BYLAW, 2003***  
**DEIDRE WASYLIW**  
**902 3<sup>RD</sup> STREET EAST – 16-ORC-158**  
**(FILE NO. PMAB. 4410-016-011)**

Introductions were held. The Chair commenced the hearing at 4:32 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

**APPEARED FOR THE APPELLANT:**

Ms. Deidre Wasyliw (Absent)

**APPEARED FOR THE RESPONDENT:**

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

**GROUNDS AND ISSUES:**

The Appellant, Deidre Wasyliw, 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 16-ORC-158 for the property at 902 3<sup>rd</sup> Street East. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

The detached garage (accessory building) located on the property is not maintained in good repair. The roof displays substantial deflection, shingles are curled and show signs of weather damage. The soffit and fascia boards show signs of water damage, rot, and deterioration. Eaves trough is damaged and partially detached. The exterior west wall displays water damage and rot. Wooden components of this building are not protected against moisture penetration. This building is dilapidated and substantially depreciates the value of other land or improvements in the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than November 4, 2016, remove all rotting and deteriorated building components. Repair or replace all missing or damaged building components including the structural roof components, sheathing, shingles, soffit, fascia boards, wall boards, and all other damaged building components. Apply a protective covering to prevent moisture from damaging the wooden components.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 12, and 19.

2. CONTRAVENTION:

The wooden accessory building (shed) next to the detached garage is not being maintained in good repair. The exterior wooden surfaces show signs of water damage and deterioration; there are gaps in the walls that are open to the interior which provides access to rodents, vermin and insects. Wooden components of this building are not protected against moisture penetration.

YOU ARE HEREBY DIRECTED TO:

By no later than November 4, 2016, remove all rotting and deteriorated building components. Repair or replace all missing or damaged building components and apply a protective covering to prevent moisture from damaging the wooden components.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 12, and 19.

3. CONTRAVENTION:

The wooden accessory building (shed) in the south west corner of the property is not being maintained in good repair. The exterior wooden surfaces show signs of water damage and deterioration; there are gaps in the walls that are open to the interior which provides access to rodents, vermin and insects. This shed appears to not have a roof installed over the north portion of the building. Wooden components of this building are not protected against moisture penetration.

YOU ARE HEREBY DIRECTED TO:

By no later than November 4, 2016, remove all rotting and deteriorated building components. Install a roof to cover the entire building. Repair or replace all missing or damaged building components and apply a protective covering to prevent moisture from damaging the wooden components.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 12, and 19.

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

As set out in the Notice of Appeal to the Property Maintenance Appeals Board (Exhibit A.1), the Appellant outlined the reasons for appealing, as follows:

“I request extra time to comply with this order as I cannot safely access property.

I have been attacked by the tenant’s dog.

I have served an eviction notice, which the tenant has appealed, and cannot safely go to this property until that process has been completed.

I was advised by community liaison officer at City Police to avoid contact for my own safety and that it would be best to not go there unaccompanied.”

**EXHIBITS:**

- Exhibit A.1: Notice of Appeal from Deidre Wasyliv to the Property Maintenance Appeals Board, received in City Clerk’s Office on October 13, 2016.
- Exhibit B.1: Notice of Hearing dated October 31, 2016.
- Exhibit R.1: Order to Remedy Contravention 16-ORC-158 dated October 7, 2016, for the property at 902 3<sup>rd</sup> Street East, received in City Clerk’s Office on October 7, 2016.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated September 30, 2016, received in the City Clerk’s Office on November 2, 2016.

Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated November 16, 2016.

**SUPPLEMENTARY NOTATIONS:**

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

The Respondent gave evidence and argument as outlined in the Record of Decision dated November 25, 2016.

The hearing concluded at 4:40 p.m.

**RESOLVED:** That for the reasons outlined in the Record of Decision dated November 25, 2016, the Board determined that the requirements of the Order to Remedy Contravention 16-ORC-158 dated October 7, 2016, with respect to the property at 902 3<sup>rd</sup> Street East be **UPHELD** and the date for compliance be **EXTENDED** to **December 12, 2016**.

4. **PROPERTY MAINTENANCE APPEAL NO. 12-2016**  
***BYLAW NO. 8175 – THE PROPERTY MAINTENANCE & NUISANCE***  
***ABATEMENT BYLAW, 2003***  
**DEIDRE WASYLIW**  
**902 3<sup>RD</sup> STREET EAST – 16-ORC-160**  
**(FILE NO. PMAB. 4410-016-012)**

Introductions were held. The Chair commenced the hearing at 4:40 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

**APPEARED FOR THE APPELLANT:**

Ms. Deidre Wasyliw (Absent)

**APPEARED FOR THE RESPONDENT:**

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

**GROUNDS AND ISSUES:**

The Appellant, Deidre Wasyliv, 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 16-ORC-160 for the property at 902 3<sup>rd</sup> Street East. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

There is an excessive accumulation of new and used lumber, scrap wood, metal, windows, doors, building materials, metal containers, chairs, indoor furniture, toys, appliances, wooden pallets, garbage, junk and debris which is affecting the health and safety of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than October 21, 2016, remove the accumulation new and used lumber, scrap wood, metal, windows, doors, building materials, metal containers, chairs, indoor furniture, toys, appliances, wooden pallets, 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 October 21, 2016, 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.

3. CONTRAVENTION:

The wooden deck at the rear of the house is in disrepair. Deck boards on the older portion of the deck are showing signs of water damage and rot, the protective covering is peeling off the boards and some of the boards are broken. This situation is creating an unsafe condition and a nuisance that may affect the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than October 21, 2016, replace all damaged deck components or remove the deck and all its components from the property.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 12, and 27.

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

As set out in the Notice of Appeal to the Property Maintenance Appeals Board (Exhibit A.1), the Appellant outlined the reasons for appealing, as follows:

“Please extend time allowance to bring these things “up to code”.

I am unable to access property due to locks being changed. My lawn mower is locked inside back yard. When trying to access yard, I was attacked by dog Sept 2<sup>nd</sup> necessitating doctor’s care (City Hosp Emerg).

I have served a notice of eviction which the tenant is appealing. Until such time as I can evict tenant, I cannot access yard. This tenant removed the plywood covering I had placed over older portion of deck to ensure safety and refused access to me to complete board replacement. The boards are in yard ready to install.”

**EXHIBITS:**

- Exhibit A.1: Notice of Appeal from Deidre Wasyliw to the Property Maintenance Appeals Board, received in City Clerk’s Office on October 13, 2016.
- Exhibit B.1: Notice of Hearing dated October 31, 2016.
- Exhibit R.1: Order to Remedy Contravention 16-ORC-160 dated October 7, 2016, for the property at 902 3<sup>rd</sup> Street East, received in City Clerk’s Office on October 7, 2016.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated September 30, 2016, received in the City Clerk’s Office on November 2, 2016.
- Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated November 16, 2016.

**SUPPLEMENTARY NOTATIONS:**

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

The Respondent gave evidence and argument as outlined in the Record of Decision dated November 25, 2016.

The hearing concluded at 4:47 p.m.

**RESOLVED:** That for the reasons outlined in the Record of Decision dated November 25, 2016, the Board determined that the requirements of the Order to Remedy Contravention 16-ORC-160, dated October 7, 2016, with respect to the property at 902 3<sup>rd</sup> Street East be **UPHELD** and the date for compliance be **EXTENDED to December 12, 2016.**

The meeting adjourned at 5:04 p.m.

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Mr. Ian Oliver, Chair

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Ms. Debby Sackmann, Secretary