



**PUBLIC MINUTES
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, May 17, 2017, 3:30 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

ABSENT: Mr. Roy Fleming, Member

ALSO PRESENT: Ms. Yvonne Raymer, Municipal Inspector
Mr. Luc Durand, Fire Marshal and Municipal Inspector
Secretary, Ms. Debby Sackmann

- 1. Property Maintenance Appeal No. 07-2017
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
Stewart Property Holdings Ltd.
204 Avenue K South
(File No. PMAB. 4410-017-007)**

Introductions were held. The Chair commenced the hearing at 3:35 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Ms. Chanda Lockhart representing Stewart Property Holdings Ltd.

APPEARED FOR THE RESPONDENT:

Ms. Yvonne Raymer, Municipal Inspector, Saskatoon Fire Department
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUNDS AND ISSUES:

The Appellant, Stewart Property Holdings 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 17-ORC-097 for the property at 204 Avenue K South. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

There is an excessive accumulation of bike tires, plastic totes, glass jars, plastic containers, animal kennel, blue plastic case, broken window, tarps, plastic garbage containers, plastic pots, plastic pails, Tupperware/plastic food containers, plastic step stool, golf club bag, wire shelving pieces, dismantled fan, grocery bags, scrap metal, wooden stand, dismantled exterior door, dismantled door frame, blinds, dismantled coffee table, wooden furniture tarped, plastic pail lids, clothing, cat litter pails, rocking chair, kitchen table, stools, dismantled bike frames, bike parts and other junk and garbage which is affecting the health and safety of the neighbourhood. This situation affects the health and safety as well as the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than, May 14, 2017, remove the excessive accumulation of bike tires, plastic totes, glass jars, plastic containers, animal kennel, blue plastic case, broken window, tarps, plastic garbage containers, plastic pots, plastic pails, Tupperware/plastic food containers, plastic step stool, golf club bag, wire shelving pieces, dismantled fan, grocery bags, scrap metal, wooden stand, dismantled exterior door, dismantled door frame, blinds, dismantled coffee table, wooden furniture tarped, plastic pail lids, clothing, cat litter pails, rocking chair, kitchen table, stools, dismantled bike frames, bike parts 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, 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:

“We served the tenant a calendar months notice to vacate after numerous warnings to clean up. The notice is effective May 30, 2017. If tenants dispute there will be a hearing, could be an appeal. We need to follow the residential tenancy act. We have worked with the fire department on this case and asked them to support us but need the city to be aware our hands are tied until eviction period passed. As soon as we get possession we will file for disposition of property and once an order is granted we will clean up the yard. Again we by law must follow the residential tenancy act. We are agreement that tenants should clean up by May 14th but do not want to be charged or put in a position against the act the clean up. We want the mess”

EXHIBITS:

- Exhibit A.1: Notice of Appeal from Stewart Property Holdings Ltd. to the Property Maintenance Appeals Board, received in City Clerk's Office on May 1, 2017.
- Exhibit B.1: Notice of Hearing dated May 5, 2017.
- Exhibit R.1: Order to Remedy Contravention 17-ORC-097, for the property at 204 Avenue K South, dated and received in City Clerk's Office on April 26, 2017.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated April 13, 2017, received in the City Clerk's Office on May 16, 2017.

SUPPLEMENTARY NOTATIONS:

The Respondent, Ms. Yvonne Raymer, Municipal Inspector, and the Appellant, Ms. Chanda Lockhart representing Stewart Property Holdings Ltd., 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 May 24, 2017.

The hearing concluded at 3:46 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated May 24, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-097, dated April 26, 2017, with respect to the property at 204 Avenue K South be **UPHELD** and **EXTENDED** to **June 30, 2017**.

2. ADOPTION OF MINUTES

Moved By: D. Wiks

That the minutes of meetings held on April 19 and May 3, 2017, be adopted.

CARRIED

The meeting adjourned at 3:50 p.m.

Mr. Ian Oliver, Chair

Ms. Debby Sackmann, Secretary