



**COMMUNITY REQUIREMENTS APPEAL BOARD DECISION**

March 10, 2026

RE: Appeal of Unsightly Property Order #72358

Appellant: Maxwell Mueller  
Respondent(s): Matthew Thom, Bylaw Officer  
Dave Henley, Senior Bylaw Officer  
Subject Property: 252 Laval Blvd W  
Hearing Date: February 26, 2026  
Board Members: Amanda Berg, Chair  
Evan Neilsen  
Regan Lane  
Kent Perry  
Garry Roth  
Jason Shriner  
Stephen Tomes  
Troy Roberts

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UPON HEARING representation made by the Bylaw Enforcement Officer and the Appellant (property owner) on Thursday, February 26, 2026, it is the decision of the Community Requirements Appeal Board that the appeal is **DENIED** and the decision of the Bylaw Enforcement Officer regarding Unsightly Property Order 72358 ('Order 72358') to 'remove the tires from their current location and store them in either an enclosed space or suitable commercial site' is hereby **VARIED**.

**EVIDENCE:**

The Board received written and oral submissions from the Appellant (Mr. Maxwell Mueller), the Bylaw Officer (Mr. Matthew Thom) and the Senior Bylaw Enforcement Officer (Mr. Dave Henley). The Board acknowledges the following submissions were received prior to the hearing and form part of the record:

- Unsightly Premises Order 72358 issued on January 28, 2026, including photographs taken on December 23, 2025 and January 28, 2026

- Warning Letter issued on December 29, 2025
- The Appellant's written request for review submitted on February 9, 2026
- The Respondent's photographs from February 23, 2026 site inspection

At the Hearing, the Board received and considered the following:

- The Appellant's photograph showing a tarp draped across the rear yard fence of the subject property

**BACKGROUND:**

Upon considering the relevant provisions of the Municipal Government Act (MGA), the Unsightly Property Bylaw 5630, the Community Requirements Appeal Board Bylaw 6488, and the circumstances and merits of this case, the Community Requirements Appeal Board finds as follows:

1. On December 23, 2025, Bylaw Officer Thom received a complaint regarding the accumulation of tires in the rear yard of the subject property. That same day, Bylaw Officer Thom attended the property to investigate the complaint and took a photograph of the rear yard.
2. On December 29, 2025, Bylaw Officer Thom issued a Warning Letter to the Appellant, Mr. Mueller, explaining that the subject property was in contravention of Unsightly Property Bylaw 5630. The Warning Letter requested that the tires be 'removed or stored out of sight by January 28, 2026, at 4:30 pm'.
3. On January 28, 2026, Bylaw Officer Thom conducted a site inspection of the subject property and took photographs of the property at that time. Bylaw Officer Thom noted that, at the time of inspection, the subject property had not been remediated to an acceptable standard.
4. On January 28, 2026, Bylaw Officer Thom issued Order 72358, which required Mr. Mueller to 'remove the tires from their current location and store them in either an enclosed space or suitable commercial site'. The Order describes the consequences of non-compliance and provided information regarding the procedure for requesting a review of the Order.
5. Bylaw Officer Thom explained that Order 72358 was served to Mr. Mueller on February 2, 2026. Therefore, the deadline to request review of the order was February 9, 2026.
6. On February 9, 2026, Mr. Mueller submitted a written request to the Clerk of the Community Requirements Appeal Board to review Order 72358.
7. Bylaw Officer Thom advised that, where possible, it is standard practice for Bylaw Officers to continue to work with property owners to avoid enforcement action. For this reason, communication between Bylaw Officer Thom and the Appellant continued even after the appeal had been submitted.

8. Bylaw Officer Thom and Senior Bylaw Officer Henley attended the property on February 23, 2026 and determined that remediation had not occurred, and that the unsightly condition of the property persisted. Photographs from the February 23, 2026 site inspection were included in the agenda package.
9. Mr. Mueller explained that there was some confusion regarding the requirements identified in both the Warning Letter and the Order 72358, specifically relating to the definition of 'enclosed space'. Mr. Mueller stated that he had attempted to create the 'enclosed space' by using a tarp to shield the rear yard from public view.
10. Mr. Mueller explained that he is currently looking into obtaining a permit for the construction of a shed for his rear yard within which he could store the tires.

### **REASONS:**

The Board considered all of the evidence and arguments, both written and oral, presented by the parties, and has focused on the key evidence and submissions in setting out its reasons as follows:

1. Upon reviewing the evidence before it, the Board has determined that the backyard of the subject property meets the definition of 'unsightly property' as described in Section 3 of Unsightly Property Bylaw 5630.
2. The Board finds that the Warning Letter, issued by Bylaw Officer Thom, on December 29, 2025 was correctly issued to the property owner in accordance with the Unsightly Premises Bylaw 5630. Further, the Board finds that the time limit provided to the property owner to remediate the property by January 28, 2026, was reasonable.
3. The Board is of the opinion that Bylaw Officer Thom made numerous attempts to assist the property owner prior to the issuance of Order 72358 and has determined that Order 72358 was correctly issued by Bylaw Officer Thom in accordance with the provisions of Bylaw 5630.
4. Finally, the Board acknowledges that the February 18, 2026 deadline for remediation as identified in Order 72358 has expired.

### **DECISION:**

For the reasons set out above, the appeal is **DENIED** and the decision of the Bylaw Officer to issue Unsightly Property Order 72358 is **VARIED** to allow for a single time-extension for the Appellant to complete remediation of the unsightly property as follows:

**The Appellant must either remove the tires from the property entirely or shall relocate the tires inside an approved enclosed structure so they are no longer visible from public property by no later than 12 noon on April 9, 2026. Failure to comply will result in corrective action undertaken by the municipality at the sole cost of the property owner.**

An appeal against the decision may be made to the Court of King's Bench on a question of law or jurisdiction only. Should you wish to do so, it is recommended that you retain legal counsel.

Please contact this Office if you have any questions regarding the decision. A copy of this decision has been provided to the owner of the property.

A handwritten signature in black ink, appearing to read 'Amanda Berg', with a long, sweeping flourish extending to the right.

Amanda Berg, Board Chair  
Community Requirements Appeal Board

cc: Matthew Thom, Bylaw Officer  
Dave Henley, Senior Bylaw Officer  
Duane Ens, General Manager of Regulatory Services