



**PUBLIC MINUTES  
DEVELOPMENT APPEALS BOARD**

Tuesday, May 5, 2015, 4:05 p.m.  
Committee Room "E", City Hall

PRESENT: Ms. C. Ruys, Chair  
Ms. L. DeLong  
Mr. A. Sarkar  
Committee Assistant P. Walter, Secretary

- 1. APPEAL NO. 16-2015  
Refusal to Issue Development Permit  
Proposed Addition to a One-Unit Dwelling  
(With Rear Yard Setback Deficiency)  
725 9<sup>th</sup> Avenue North – R2 Zoning District  
Jim Siemens on behalf of Chris and Sue Wall**

The Board Chair briefly outlined the procedures that would be followed during the course of the hearing and introduced the members of the Board, the Secretary and the City's representative.

**Appeared for the Appellant:**

Jim Siemens, Oxbow Architecture  
Mason Loy, Oxbow Architecture

**Appeared for the Respondent:**

Paula Kotsek-Toth, City of Saskatoon, Community Services Department,  
Planning and Development Division

**Appeared Speaking for the Appeal Application:**

Don Cook  
Chris Schulz

**Grounds and Issues:**

THE APPELLANT, Jim Siemens, on behalf of Chris and Sue Wall, has filed an appeal under Section 219(1)(b) of *The Planning and Development Act, 2007* in connection with the refusal to issue Development Permit for a proposed addition to a one-unit dwelling with a rear yard setback deficiency, for the property located at 725 9<sup>th</sup> Avenue North.

The property is zoned R2 under Zoning Bylaw 8770.

Section 8.4.2(2) of the Zoning Bylaw states that in a R2 district, all buildings on interior sites are required to have a minimum rear yard setback of 7.5 metres.

Based on the information provided, the rear yard setback is 5.182 metres. This equals a rear yard setback deficiency of 2.318 metres.

The Appellant was seeking the Board's approval for the Development Permit as submitted.

**Exhibits:**

- Exhibit A.1 Application to Appeal received April 8, 2015.
- Exhibit R.1 Letter dated April 7, 2015 from the Community Services Department, Planning and Development Division, to Jim Siemens.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received April 27, 2015.
- Exhibit B.1 Notice of Hearing dated April 10, 2015.
- Exhibit B.2 Support email from Corina and Todd Peters, received April 9, 2015.
- Exhibit B.3 Support email from Phil Chilibeck and Tara de Ryk, received April 9, 2015.
- Exhibit B.4 Support email from Michael Murphy and Lorraine Marquis received April 13, 2015.
- Exhibit B.5 Letter from Sylvan and Beverly Hackl, received April 13, 2015
- Exhibit B.6 Support email from Noel Roeger and Danielle Doyscher, received April 14, 2015
- Exhibit B.7 Support email from Andrea and Brandon Harris, received April 20, 2015.
- Exhibit B.8 Support email from Alana Berg, received April 20, 2015.
- Exhibit B.9 Support email from James McLean and Rena DeCoursey, received April 20, 2015

Exhibit B.10 Support email from Sheliza Kelts and Chris Schulz, received April 21, 2015.

Exhibit B.11 Support email from Barbara Alberton, received April 22, 2015.

Exhibit B.12 Support email from Julie Jensen, received April 27, 2015.

Exhibit B.13 Support mail from Don Cook and Donna Thiessen, received April 30, 2015.

**Supplementary Notions:**

The City's representative, Paula Kotasek-Toth, affirmed that any evidence given in this hearing would be the truth. The Appellants, Jim Siemens and Mason Loy, also affirmed that any evidence given in this hearing would be the truth.

The Appellants and Respondent provided evidence and arguments as outlined in the Record of Decision dated May 12, 2015.

The hearing concluded at 4:22 p.m.

**RESOLVED:** that for the reasons outlined in the Record of Decision dated May 12, 2015, the Board determined that the appeal be GRANTED.

**2. ADJOURNMENT**

**Moved by:** L. DeLong

That the meeting be adjourned.

**CARRIED**

The meeting adjourned at 4:25 p.m.

---

Ms. Christine Ruys, Chair