



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, September 8, 2015, 4:01 p.m.
Committee Room "E", City Hall

PRESENT: Ms. C. Ruys, Chair
Ms. L. DeLong
Ms. L. Lamon
Mr. A. Sarkar
D. Sackmann, Secretary

**1. APPEAL NO. 24-2015
Development Permit Denial
Commercial Dwelling Conversion to Office
(Parking and Loading Space Deficiency)
1322 8th Street East – M1 Zoning District
Maurice Soulodre for Baliski Real Estate Office**

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:

Mr. Maurice Soulodre for Baliski Real Estate Office
Ms. Maryanne Baliski
Mr. Ron Baliski
Mr. Reagan Baliski

Appeared for the Respondent:

Ms. Paula Kotasek-Toth, Senior Planner, City of Saskatoon, Community Services Department, Planning and Development Division

Grounds and Issues:

THE APPELLANT, Maurice Soulodre on behalf of Baliski Real Estate Office has filed an appeal under Section 219(1)(b) of *The Planning and Development Act, 2007*, in connection with the City's refusal to issue a Development Permit for a

commercial dwelling conversion from a one-unit dwelling into offices, for the property located at 1322 8th Street East.

The property is zoned M1 under Zoning Bylaw No. 8770.

Section 6.2(2)(f) states that all required parking and loading spaces shall, without excessive vehicular maneuvering, have direct access to a driveway, aisle or registered lane leading to a public street. Driveways and aisles which provide access to parking or loading spaces shall conform to the following minimum parking dimensions: 75 to 90 degree parking requires a minimum 6.0 metre-wide aisle or driveway (two-way traffic).

Based on the information provided the driveway is 3.658 metres (12') wide leading to three parking spaces off of Wiggins Avenue. This results in a deficiency of 2.342 metres (8').

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

Exhibits:

- Exhibit A.1 Application to Appeal received July 20, 2015.
- Exhibit R.1 Letter dated July 16, 2015 from the Community Services Department, Planning and Development Division, to Maurice Soulodre.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received August 27, 2015.
- Exhibit B.1 Notice of Hearing dated July 28, 2015.
- Exhibit B.2 Supporting email from Cindy Moleski and Howard Crossman, received July 29, 2015.

Supplementary Notions:

The City's representative, Paula Kotasek-Toth, affirmed that any evidence given in this hearing and in the hearings to follow would be the truth. The Appellants, Maurice Soulodre and Maryanne Baliski, 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 October 2, 2015.

The hearing concluded at 4:23 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated October 2, 2015, the Board determined that the appeal be DENIED.

2. APPEAL NO. 27-2015
Refusal to Issue Development Permit
New 4-Story Apartment Building
(With Drive Aisle Width Deficiencies)
101 – 105 Avenue O South – RM3 Zoning District
James Zimmer on behalf of Sadiqur Rahman

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:

Mr. Jim Zimmer, architect, representing Sadiqua Rhaman
Mr. Sadiqua Rhaman
Mr. Jordan Arndt

Appeared for the Respondent:

Ms. Paula Kotasek-Toth, Senior Planner, City of Saskatoon, Community Services Department, Planning and Development Division

Grounds and Issues:

THE APPELLANT, James Zimmer, on behalf of Sadiqur Rahman 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 four-story apartment building, for the property located at 101 – 105 Avenue O South (1501 22nd Street West).

The property is zoned RM3 under Zoning Bylaw 8770.

Section 6.2(2)(f) states that except as otherwise provided in subsection 6.2(2)(k), all required parking and loading spaces shall, without excessive vehicular maneuvering, have direct access to a driveway, aisle or registered lane leading to a public street. Driveways and aisles which provide access to parking or loading spaces shall conform to the following minimum dimensions:

- Parking angles 75 to 90 degrees to provide a 6.0 metre aisle or driveway (two-way traffic)
- Parking angled 50 to 74 degrees to provide a 5.5 metre aisle or driveway (two-way traffic)
- Parking angled 49 degrees or less to provide a 3.7 metre aisle or driveway (one-way traffic only)

For the purposes of the above minimum dimensions, angles shall be measured between the center line of the parking or loading space and the center line of the driveway or aisle.

Based on the information provided the drive aisle has a width of 3.650 metres leading to parking containing 90 degree parking stalls and leading to parking stalls that are angled at 49 degrees or less. This results in a drive aisle width deficiency of 2.35 metres to access the 90 degree stalls and 0.05 metres to access parking stalls 49 degrees or less.

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

Exhibits:

- Exhibit A.1 Application to Appeal received August 18, 2015.
- Exhibit R.1 Letter dated August 12, 2015 from the Community Services Department, Planning and Development Division, to James D. Zimmer, Architect.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received August 27, 2015.
- Exhibit B.1 Notice of Hearing dated August 21, 2015.

Supplementary Notions:

The City's representative, Paula Kotasek-Toth, affirmed in the previous hearing that any evidence given in this hearing would be the truth. The Appellant, Jim Zimmer, also affirmed that any evidence given in this hearing would be the truth.

The hearing concluded at 4:44 p.m.

RESOLVED: that the appeal be ADJOURNED.

**3. APPEAL NO. 28-2015
Refusal to Issue Development Permit
Proposed Addition to Accessory Building
(Exceeding Maximum Allowable Floor Area)
73 Harvard Crescent – R1 Zoning District
Greg Brewer**

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:

Mr. Greg Brewer

Appeared for the Respondent:

Ms. Paula Kotasek-Toth, Senior Planner, City of Saskatoon, Community Services Department, Planning and Development Division

Grounds and Issues:

THE APPELLANT, Greg Brewer has filed an appeal under Section 219(1)(b) of *The Planning and Development Act, 2007* in connection with the refusal to issue a Development Permit for a proposed addition to an accessory building, for the property located at 73 Harvard Crescent.

The property is zoned R1 under Zoning Bylaw 8770.

Section 5.7(3)(e) states that no detached building or structure accessory to a one-unit dwelling shall have a floor area greater than 87 square metres.

Based on the information provided the total floor area of the detached accessory building is 104.051 square metres including the addition. This exceeds the maximum floor area of a detached accessory structure by 17.051 square metres.

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

Exhibits:

- Exhibit A.1 Application to Appeal received August 21, 2015.
- Exhibit R.1 Letter dated August 7, 2015 from the Community Services Department, Planning and Development Division, to Greg Brewer.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received August 27, 2015.
- Exhibit B.1 Notice of Hearing dated August 24, 2015.
- Exhibit B.2 Letter supporting appeal from Jonathan Dimmock and Elizabeth Dimmock, received September 1, 2015.
- Exhibit B.3 Letter supporting appeal from Sharon Johnson, received September 3, 2015.
- Exhibit B.4 Letter supporting appeal from Bob and Alice Chayka, received September 3, 2015.
- Exhibit B.5 Letter supporting appeal from Ben Wilson and Ashley Begg, received September 3, 2015.
- Exhibit B.6 Letter supporting appeal from Murray Scharf, received September 3, 2015.

Supplementary Notions:

The City's representative, Paula Kotasek-Toth, affirmed in a previous hearing that any evidence given in this hearing would be the truth. The Appellant, Greg Brewer, also affirmed that any evidence given in this hearing would be the truth.

The Appellant and Respondent provided evidence and arguments as outlined in the Record of Decision dated October 2, 2015.

The hearing concluded at 4:59 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated October 2, 2015, the Board determined that the appeal be DENIED.

4. ADOPTION OF MINUTES

4.1 Minutes of Regular Meeting of the Development Appeals Board on August 11, 2015

Moved by: Ms. Lamon

That the minutes of meeting held on August 11, 2015, be adopted.

CARRIED

The meeting adjourned at 5:03 p.m.

Ms. Christine Ruys, Chair

Ms. Debby Sackmann, Secretary