



**PUBLIC MINUTES  
DEVELOPMENT APPEALS BOARD**

Tuesday, March 10, 2015, 4:00 p.m.  
Committee Room "E", City Hall

PRESENT: Ms. C. Ruys, Chair  
Ms. L. DeLong  
Ms. L. Lamon  
Ms. S. Nazarenko  
Committee Assistant P. Walter, Secretary

- 1. APPEAL NO. 3-2015  
Order to Remedy Contravention  
Illegal Use of a One-Unit Dwelling as a Two-Unit Dwelling  
(Requiring Removal of the Basement Dwelling Unit)  
2132 Broadway Avenue – R2 Zoning District  
Richard and Lisa Jeanneau**

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:**

Richard Jeanneau

**Appeared for the Respondent:**

Jo-Anne Richter, City of Saskatoon, Community Services Department,  
Planning and Development Division

Sherry Paulson, City of Saskatoon, Community Services Department,  
Planning and Development Division

Sharon Smart, City of Saskatoon, Community Services Department,  
Planning and Development Division

**Grounds and Issues:**

THE APPELLANTS, Richard and Lisa Jeanneau have filed an appeal under Section 219(1)(c) of *The Planning and Development Act, 2007*, in connection with the Order to Remedy Contravention dated January 21, 2015.

The Order to Remedy Contravention was issued for this property on January 21, 2015 pursuant to Section 242(4) of *The Planning and Development Act, 2007*, and the Order states as follows:

“Contravention”

Building Permit No. 922/53 was issued for a new one unit dwelling. The legal use of the property is a one unity dwelling. The form of development of this property has been altered to a two unit dwelling. Such a development is illegal.

The main floor and basement at 2132 Broadway Avenue has been developed into two separate dwelling units containing sleeping facilities, sanitary facilities and kitchen and kitchen cabinets, kitchen sink, stove and refrigerator.

You are hereby ordered to:

1. On or before, February 26, 2015, alter the use of the building back to a one unit dwelling by removing the suite occupancy; and
2. On or before, March 12, 2015, alter the form of development so as to remove the contravention by removing the basement dwelling unit from 2132 Broadway Avenue. Remove all upper and lower kitchen cabinets, kitchen sink (plumbing lines are to be permanently capped behind the wall and covered over), the stove (stove outlet removed, wires capped off behind the wall and covered and removed from the electrical panel) or any other cooking appliances, refrigerators, kitchen table and chairs and provide unrestricted free access between all living areas of the building by removing any locking passage sets that separate living spaces.

Section:

4.2(1); 4.3.1(1); 8.4 and 2.0 “dwelling unit” “secondary suite” of Zoning Bylaw No. 8770.

The Appellant was appealing the above-referenced Order to Remedy Contravention.

**Exhibits:**

- Exhibit A.1 Application to Appeal received January 27, 2015.
- Exhibit R.1 Order dated January 21, 2015 from the Community Services Department, Planning and Development Division, to Richard and Lisa Jeanneau.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received March 4, 2015.
- Exhibit B.1 Notice of Hearing dated January 28, 2015.
- Exhibit B.2 Opposition email from Dennis and Linda Billo, received March 9, 2014.

**Supplementary Notions:**

The City's representatives, Jo-Anne Richter and Sherry Paulson, affirmed that any evidence given in this hearing and in the hearings to follow would be the truth. The City's Representative, Sherry Paulson, and the Appellant, Richard Jeanneau, also affirmed that any evidence given in this hearing would be the truth.

The Appellant and Respondents provided evidence and arguments as outlined in the Record of Decision dated March 31, 2015.

The hearing concluded at 4:20 p.m.

**RESOLVED:** that for the reasons outlined in the Record of Decision dated March 31, 2015, the Board determined that the time for compliance with the Order to Remedy Contravention be EXTENDED to April 12, 2015 to apply for the necessary permits and to May 12, 2015 to correct all necessary alterations.

**You are hereby ordered to:**

1. On or before April 12, 2015, apply for the necessary permits and submit all diagrams and plans to the Planning and Development Department; and

2. On or before, May 12, 2015, complete all necessary alterations to correct all identified deficiencies and have the building inspected by a City Bylaw Inspector.

**2. APPEAL NO. 7-2015**  
**Order to Remedy Contravention**  
**Illegal Use of a Two-Unit Dwelling as a Multiple Unit Dwelling**  
**Containing 4 Dwelling Units**  
**(Requiring Removal of Basement Suites)**  
**Rob Chan**

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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:**

Rob Chan

**Appeared for the Respondent:**

Jo-Anne Richter, City of Saskatoon, Community Services Department,  
Planning and Development Division

Sharon Smart, City of Saskatoon, Community Services Department,  
Planning and Development Division

**Grounds and Issues:**

THE APPELLANT, Rob Chan, has filed an appeal under Section 219(1)(c) of *The Planning and Development Act, 2007*, in connection with the Order to Remedy Contravention dated January 28, 2015.

The Order to Remedy Contravention was issued for this property on January 15, 2015 pursuant to Section 242(4) of *The Planning and Development Act, 2007*, and the Order states as follows:

“Contravention”

1. Building Permit No. 271/60 was issued for a two-unit dwelling. Building Permit 199/98 was issued for alteration to a two-unit dwelling – basement rooms on one side. The property located at 2026 St. Charles Avenue has been altered and is being used as a multiple unit dwelling.
2. The form of development at 2026 St. Charles Avenue has been altered into a multiple unit dwelling consisting of four dwelling units. Such a development is illegal.
3. The basement of the building is developed into two separate dwelling units, containing kitchens with kitchen cabinets, kitchen sinks, refrigerators, table and chairs, sanitary facilities and sleep accommodations.

You are hereby ordered to:

1. On or before March 16, 2015, cease using or permitting the use of the property at 2026 St. Charles Avenue for the purposes of a multiple unit dwelling, and removing occupants.
2. On or before March 30<sup>th</sup>, 2015, remove the suites by removing all basement kitchen elements including all upper and lower kitchen cabinets except for the lower cabinet directly beneath 1 kitchen sink, refrigerators, stove outlets (wires capped off behind wall and covered with wall finish and removed from the electrical panel), stove or any other cooking appliances, kitchen table and chairs, and provide unrestricted interior access between all areas on the main floor by removing any locking passage sets that separate living spaces.

Section:

4.2(1); 4.3.1(1); 8.4 and 2.0 “dwelling unit” and “dwelling, multiple unit” of Zoning Bylaw No. 8770.”

**Exhibits:**

- Exhibit A.1 Application to Appeal received February 6, 2015.  
Exhibit A.2 Appellant’s email with tenant letters attached, received March 10, 2015.

- Exhibit A.3 Appellant's March 10, 2014 response to the email from Vera and Mark Gorgchuck (B.6)
- Exhibit R.1 Letter dated January 15, 2015 from the Community Services Department, Planning and Development Division, to Rob Chan, 101006525 Saskatchewan Ltd.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received March 2, 2015.
- Exhibit B.1 Notice of Hearing dated February 11, 2015.
- Exhibit B.2 Opposition email from Chris O'Grady, received February 23, 2015.
- Exhibit B.3 Support email from Jodi and Marc Campeau, received March 2, 2015.
- Exhibit B.4 Support email from Bart Brissaw, received March 3, 2015.
- Exhibit B.5 Opposition email from Jeffrey Montgomery, received March 6, 2015.
- Exhibit B.6 Opposition email from Vera and Mark Gorgchuck, received March 9, 2015.

**Supplementary Notions:**

The City's representatives, Jo-Anne Richter and Sharon Smart, affirmed in the previous hearing that any evidence given in this hearing and in the hearings to follow would be the truth. The Appellant, Rob Chan, also affirmed that any evidence given in this hearing would be the truth.

The Appellant and Respondents provided evidence and arguments as outlined in the Record of Decision dated March 31, 2014.

The hearing concluded at 4:54 p.m.

**RESOLVED:** that for the reasons outlined in the Record of Decision dated March 31, 2015, the Board determined that the time for compliance with the Order to Remedy Contravention be EXTENDED to June 30, 2015 for the removal of occupants and July 15, 2015 for the removal of the suites.

You are hereby order to:

1. On or before June 30, 2015, cease using or permitting the use of the property at 2026 St. Charles Avenue for the purposes of a multiple unit dwelling and removing occupants; and

2. On or before July 15, 2015, remove the suites by removing all basement kitchen elements including all upper and lower kitchen cabinets except for the lower cabinet directly beneath one kitchen sink, refrigerators, stove outlets (wires capped off behind the wall and covered with wall finish and removed from the electrical panel), stove or any other cooking appliances, kitchen table and chairs and provide unrestricted interior access between all areas on the main floor by removing any locking passage sets that separate living spaces.

**3. APPEAL NO. 8-2015  
Order to Remedy Contravention  
Illegal Use of a Semi-Detached Dwelling as a Two-Unit Dwelling  
(Requiring Removal of Basement Dwelling Unit)  
1822 Avenue D North – R2 Zoning District  
Michelle Dalagan, WMCDAL Property Rentals Inc.**

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:**

Willie and Michelle Dalagen (by telephone)

**Appeared for the Respondent:**

Jo-Anne Richter, City of Saskatoon, Community Services Department,  
Planning and Development Division

Sherry Paulson, City of Saskatoon, Community Services Department,  
Planning and Development Division

**Grounds and Issues:**

THE APPELLANT, Michelle Dalagan, has filed an appeal under Section 219(1)(c) of *The Planning and Development Act, 2007*, in connection with the Order to Remedy Contravention dated February 18, 2015.

The Order to Remedy Contravention was issued for this property on January 21, 2015 pursuant to Section 242(4) of *The Planning and Development Act, 2007*, and the Order states as follows:

“Contravention”

Building Permit No. 1165/13 was issued for a semi-detached dwelling. The form of development at 1822 Avenue D North has been altered into a two unit dwelling. Such a dwelling is illegal.

1. The basement has been developed into a separate dwelling unit containing sleeping facilities, sanitary facilities and kitchens with kitchen cabinets, kitchen sinks, refrigerators, table and chairs.

You are hereby ordered to:

1. On or before March 31, 2015, cease using or permitting the use of the property at 1822 Avenue D North for the purposes of a two unit dwelling by removing the basement occupants, and
2. On or before April 15<sup>th</sup>, 2015, alter the form of development so as to remove the contravention by removing the basement dwelling unit from 1822 Avenue D North. Remove all upper and lower kitchen cabinets, kitchen sink, (plumbing lines are to be permanently capped behind the wall and covered over), the stove (stove outlet removed, wires capped off behind the wall and covered and removed from the electrical panel), and any other cooking appliances, refrigerators, kitchen table and chairs, and unrestricted free access provided between all living areas of the building by removing any locking passage sets that separate living space.

Section:

4.2(1); 4.3.1(1); 8.4 and 2.0 “dwelling unit” of Zoning Bylaw No. 8770.

The Appellant is appealing the above-referenced Order to Remedy Contravention.

**Exhibits:**

- Exhibit A.1 Application to Appeal received February 19, 2015.
  - Exhibit A.2 Email with January 27 and February 5 estimates, submitted by Jessica Ho, Property Manager, Real Canadian Property Management Professionals Inc., received March 4, 2015
  - Exhibit A.3 Email submission by Appellant, received March 10, 2015.
  - Exhibit R.1 Letter dated January 21, 2015 from the Community Services Department, Planning and Development Division, to WMCDAL Property Rentals Inc. and Real Canadian Property Management.
  - Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received March 2, 2015.
- Exhibit B.1 Notice of Hearing dated February 20, 2015.

**Supplementary Notions:**

The City's representatives, Jo-Anne Richter and Sherry Paulson, affirmed in the previous hearing that any evidence given in this hearing and in the hearing to follow would be the truth. The Appellants, Willie and Michelle Dalagen, also affirmed that any evidence given in this hearing would be the truth.

The Appellants and Respondents provided evidence and arguments as outlined in the Record of Decision dated March 31, 2015.

The hearing concluded at 5:30 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated March 31, 2015, the Board determined that the time for compliance with the Order to Remedy Contravention be EXTENDED to April 30, 2015.

You are hereby ordered to:

On or before April 30, 2015, alter the form of development so as to remove the contravention by removing the basement dwelling unit from 1822 Avenue D North. Remove all upper and lower kitchen cabinets, kitchen sink (plumbing lines are to be permanently capped behind the wall and covered over), the stove (stove outlet removed, wires capped off behind the wall and covered and removed from the electrical panel) and any other cooking appliances, refrigerators, kitchen table and chairs and unrestricted

free access provided between all living areas of the building by removing any locking passage sets that separate living space.

**4. APPEAL NO. 9-2015**  
**Order to Remedy Contravention**  
**(Requiring Removal of Basement Dwelling Unit)**  
**1824 Avenue D North – R2 Zoning District**  
**Michelle Dalagan, WMCDAL Property Rentals Inc.**

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:**

Willie and Michelle Dalagan (by telephone)

**Appeared for the Respondent:**

Jo-Anne Richter, City of Saskatoon, Community Services  
Department, Planning and Development Division

Sherry Paulson, City of Saskatoon, Community Services  
Department, Planning and Development Division

**Grounds and Issues:**

THE APPELLANT, Michelle Dalagan, has filed an appeal under Section 219(1)(c) of *The Planning and Development Act, 2007*, in connection with the Order to Remedy Contravention dated February 18, 2015.

The Order to Remedy Contravention was issued for this property on January 21, 2015 pursuant to Section 242(4) of *The Planning and Development Act, 2007*, and the Order states as follows:

“Contravention”

Building Permit No. 1165/13 was issued for a semi-detached dwelling. The form of development at 1824 Avenue D North has been altered into a two unit dwelling. Such a dwelling is illegal.

1. The basement has been developed into a separate dwelling unit containing sleeping facilities, sanitary facilities and kitchens with kitchen cabinets, kitchen sinks, refrigerators, table and chairs.

You are hereby ordered to:

1. On or before March 31, 2015, cease using or permitting the use of the property at 1822 Avenue D North for the purposes of a two unit dwelling by removing the basement occupants, and
2. On or before April 15<sup>th</sup>, 2015, alter the form of development so as to remove the contravention by removing the basement dwelling unit from 1822 Avenue D North. Remove all upper and lower kitchen cabinets, kitchen sink, (plumbing lines are to be permanently capped behind the wall and covered over), the stove (stove outlet removed, wires capped off behind the wall and covered and removed from the electrical panel), and any other cooking appliances, refrigerators, kitchen table and chairs, and unrestricted free access provided between all living areas of the building by removing any locking passage sets that separate living space.

Section:

4.2(1); 4.3.1(1); 8.4 and 2.0 "dwelling unit" of Zoning Bylaw No. 8770."

The Appellant is appealing the above-referenced Order to Remedy Contravention.

**Exhibits:**

- Exhibit A.1 Application to Appeal received February 19, 2105.
- Exhibit A.2 Email with January 27 and February 5 estimates, submitted by Jessica Ho, Property Manager, Real Canadian Property Management Professionals Inc., received March 4, 2015
- Exhibit A.3 Email submission by Appellant, received March 10, 2015.
- Exhibit R.1 Letter dated January 21, 2015 from the Community Services Department, Planning and Development Division, to WMCDAL Property Rentals Inc. and Real Canadian Property Management.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received March 2, 2015.

Exhibit B.1 Notice of Hearing dated February 20, 2015.

**Supplementary Notions:**

The City's representatives, Jo-Anne Richter and Sherry Paulson, affirmed in the previous hearing that any evidence given in this hearing would be the truth. The Appellants, Willie and Michelle Dalagen, also affirmed that any evidence given in this hearing would be the truth.

The Appellants and Respondents provided evidence and arguments as outlined in the Record of Decision dated March 31, 2015.

The hearing concluded at 5:30 p.m.

**RESOLVED:** that for the reasons outlined in the Record of Decision dated March 31, 2015, the Board determined that the time for compliance with the Order to Remedy Contravention be EXTENDED to April 30, 2015.

You are hereby ordered to:

On or before April 30, 2015, alter the form of development so as to remove the contravention by removing the basement dwelling unit from 1824 Avenue D North. Remove all upper and lower kitchen cabinets, kitchen sink (plumbing lines are to be permanently capped behind the wall and covered over), the stove (stove outlet removed, wires capped off behind the wall and covered and removed from the electrical panel) and any other cooking appliances, refrigerators, kitchen table and chairs and unrestricted free access provided between all living areas of the building by removing any locking passage sets that separate living space.

**5. ADOPTION OF MINUTES**

**5.1 Minutes of the Development Appeals Board on January 20, 2015**

**Moved by:** S. Nazarenko

That the minutes of meeting held on January 20, 2015, be adopted.

**CARRIED**

**5.2 Minutes of the Development Appeals Board on February 10, 2015**

**Moved by:** L. Lamon

That the minutes of meeting held on February 10, 2015, be adopted.

**CARRIED**

**6. ADJOURNMENT**

**Moved by:** L. Lamon

That the meeting be adjourned.

**CARRIED**

The meeting adjourned at 5:40 p.m.

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Ms. Christine Ruys, Chair