

Committee Room E
City Hall, Saskatoon, SK
January 20, 2015
at 4:00 p.m.

MINUTES

OPEN TO THE PUBLIC

DEVELOPMENT APPEALS BOARD

PRESENT: Ms. Christine Ruys, Chair
Ms. Leanne DeLong
Ms. Lois Lamon
Ms. Susan Nazarenko
Mr. Asit Sarkar
Secretary, Penny Walter

- 1. Appeal No. 42-2014
Refusal to Issue Development Permit
Conversion of Hostel Type II into a Multiple-Unit Dwelling (11 Units)
(With Amenity Space Deficiency, Landscaping Deficiencies, and
Parking Spaces Deficiency)
225 Avenue R South – RM4 Zoning District
Anthony Wttewaall**

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:

Anthony Wttewaall

APPEARED FOR THE RESPONDENT:

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

GROUND AND ISSUES:

THE APPELLANT, Anthony Wttewaall, 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 conversion of a hostel type II into a multiple unit dwelling containing 11 units on the property located at 225 Avenue R South.

The property is zoned RM4 under Zoning Bylaw 8770.

Section 8.13.2(2) of the Zoning Bylaw states that for multiple unit dwellings, an amenity space of 5m² per dwelling unit, is to be provided. For 11 dwelling units, a total amenity area of 55m² is required. Areas included as amenity space are listed in Section 5.15(1)(b), which states, a balcony shall have a minimum dimension of 1.8m and a minimum area of 5m². As per the 1977 drawings on file, the 6 balconies are a width of 1.219m and have an area of 4.459m².

Section 8.13.8(1) of the Zoning Bylaw states that a landscaped strip of not less than 4.5 metres in depth through lying parallel to and abutting the front site line shall be provided on every site and shall be used for no purpose except landscaping and necessary driveway access to the site.

Section 8.13.8(3) of the Zoning Bylaw states that where a RM4 site abuts any R district site without an intervening lane, there shall be a strip of land adjacent the abutting site line of not less than 1.5 metres throughout, which shall not be used for any purpose except landscaping.

Section 6.3.1(4) of the Zoning Bylaw states that for multiple unit dwellings, 1.5 parking spaces per unit plus 0.125 visitor parking spaces per dwelling unit are required. For 11 dwelling units, 17 parking spaces are required for residents and one designated visitor parking space is required, for a total of 18 hard surfaced parking spaces.

Section 6.3.2(2) of the Zoning Bylaw states that surface parking and loading spaces shall be located at least 3.0 metres from any part of a building entrance or outer edge of a balcony or window.

Section 6.2(2)(e) of the Zoning Bylaw states the minimum parking stall sizes for requiring parking. For parking spaces having direct access to a registered lane and for parallel parking stalls, a minimum stall size is 2.7 metres x 6.7 metres.

Section 6.2(2)(j)(ii) of the Zoning Bylaw states that all required visitor parking spaces shall be clearly marked or signed as such.

Section 6.2(2)(a) of the Zoning Bylaw states that all required parking and loading facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities and be hard surfaced.

Based on the information provided:

- There is an amenity space deficiency of 55m²;
- No landscaping is shown along the front property line, resulting in a front landscaping deficiency of 4.5 metres;
- The site abuts a R2 district, adjacent to the North property line, no landscaping is shown resulting in a side yard deficiency of 1.5 metres;
- There are 12 hard surfaced parking spaces, which results in a deficiency of 6 hard surfaced parking stalls;
- There are parallel stalls proposed immediately adjacent to the South wall of the building containing windows, which results in a deficiency of 3 metres in distance from parking stall to window;
- None of the parking stalls proposed meet this minimum size requirement, resulting in a stall size deficiency in all 12 stalls;
- There are no visitor parking spaces proposed; and
- The parking stalls need to be marked on site.

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

EXHIBITS:

Exhibit A.1 Application to Appeal received December 22, 2014.

Exhibit R.1 Letter dated December 18, 2014 from the Community Services Department, Planning and Development Division, to Anthony Wttewaall.

Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received January 12, 2015.

Exhibit B.1 Notice of Hearing dated December 30, 2014.

SUPPLEMENTARY NOTATIONS:

The City's representative, Paula Kotasek-Toth, affirmed that any evidence given in this hearing would be the truth. The Appellant, Anthony Wttewaall, 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 February 9, 2015.

The hearing concluded at 4:25 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated February 9, 2015, the appeal be GRANTED subject to submitting alternate landscaping plans, for the front yard landscaping requirement, to the City of Saskatoon, Community Services, Planning and Development Division and the off-street parking spaces be demarcated.

2. Minutes

Moved By: L. Lamon

That the minutes of meeting held on November 18, 2014, be approved.

CARRIED.

Moved by: L. Lamon

That the minutes of meeting held on December 16, 2014, be approved.

CARRIED

Moved by: L. Lamon

That the meeting be adjourned.

CARRIED

The meeting adjourned at 4:40 p.m.

Christine Ruys, Chair