



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Wednesday, September 23, 2015, 4:05 p.m.
Committee Room "E", City Hall

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

- 1. APPEAL NO. 29-2031
Refusal to Issue Development Permit
Permanent Sign Permit (Billboard)
(Proposed Placement within 200 Metres of another Billboard
Facing the Same Oncoming Traffic)
CN Management Area along Warman Road – IL1 Zoning District
Andrew Hnatuk, Pattison Outdoor Advertising**

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 representatives.

Appeared for the Appellant:

Mr. Andrew Hnatuk, Pattison Outdoor Advertising

Appeared for the Respondent:

Ms. Jo-Anne Richter, Manager, Business License & Bylaw Compliance,
Planning & Development, Community Services, City of Saskatoon

Mr. Logan Clewes, Bylaw Inspector, Planning & Development, Community
Services, City of Saskatoon

Grounds and Issues:

THE APPELLANT, Andrew Hnatuk on behalf of Pattison Outdoor Advertising 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 Permanent Sign Permit (Billboard).

The property is zoned IL1 under Zoning Bylaw No. 8770.

Section 6.2.1 states that: No billboard may be located within 200 metres of another billboard facing the same oncoming traffic.

Based on the information provided:

- The proposed billboard location is approximately 40 metres from an existing billboard facing the same oncoming traffic, located along Warman Road.
- The proposed billboard does not meet the required separation distance between billboards and is not acceptable under the Zoning Bylaw.

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

Exhibits:

- Exhibit A.1 Application to Appeal received August 11, 2015.
Exhibit A.2 Photographs and drawing submitted by the Appellant, received September 17, 2015.
- Exhibit R.1 Letter dated August 11, 2015 from the Community Services Department, Planning & Development Division, to Andrew Hnatuk, Pattison Outdoor Advertising.
Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received September 14, 2015.
- Exhibit B.1 Notice of Hearing dated September 8, 2015.

Supplementary Notions:

The City's representatives, Jo-Anne Richter and Logan Clewes, affirmed that any evidence given in this hearing would be the truth. The Appellant, Andrew Hnatuk, 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 October 15, 2015.

The hearing concluded at 4:21 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated October 15, 2015, the Board determined that the appeal be GRANTED.

2. **APPEAL NO. 31-2015**
Refusal to Issue Development Permit
Proposed Dwelling Group
(With East and West Setback Deficiencies and Exceeding Maximum Site Coverage)
The Development Site Bounded by Stonebridge Common, Hartley Road, Dickson Crescent and William Anderson Park (Parcel TT, Plan 102142538) – RMTN Zoning District
Dominador Daplas, North Prairie Developments Ltd.

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. Dominador Daplas, Architect, North Prairie Developments Ltd.
Mr. Andrew Williams, CEO, North Prairie Developments Ltd.

Appeared for the Respondent:

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

Preliminary Issues:

Mr. Williams requested to submit into evidence additional material detailing Parcel TT. Both the Respondent and Board accepted this submission and it was entered into the record as Exhibit A.2.

Grounds and Issues:

THE APPELLANT, Dominador Daplas, North Prairie Developments Ltd. 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 proposed dwelling group at Parcel TT, Plan 102142538.

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

Section 8.8.2(1) states that in an RMTN district, all front, side and rear yards are required to have a 6 metre building setback. The proposed buildings are noted as having a setback of 5 metres to the West along Stonebridge Common, a 4-metre setback to the South along Hartley Road, and a 4-metre setback to the East along Dixon Crescent. This results in building setback deficiencies of 1 metre to the West, 2 metres to the South, and 2 metres to the East.

Based on the information provided, the maximum site coverage is 30%. The proposed site plan notes a site coverage of 30.5%. This exceeds the maximum site coverage by 0.5%.

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

Exhibits:

- Exhibit A.1 Application to Appeal received August 27, 2015.
- Exhibit A.2 Additional Submission - Parcel TT, submitted by North Prairie Developments Ltd, received September 23, 2015.

- Exhibit R.1 Letter dated August 13, 2015 from the Community Services Department, Planning & Development Division, to Dominador Daplas, North Prairie Developments Ltd.
- Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received September 14, 2015.

- Exhibit B.1 Notice of Hearing dated September 8, 2015.

Supplementary Notions:

The City's representative, Paula Kotasek-Toth, affirmed that any evidence given in this hearing would be the truth. The Appellants, Dominador Daplas and Andrew Williams, 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 15, 2015.

The hearing concluded at 5:19 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated October 15, 2015, the Board determined the following:

1. that the requirements of all front, side and rear yards building setbacks be **DENIED**.
2. that the requirement of maximum allowed site coverage of 30% be allowed to be 30.5%, an overage of 0.5% be **GRANTED**.

The meeting adjourned at 5:35 p.m.

Leanne DeLong, A/Chair

Ms. Debby Sackmann, Secretary
Development Appeals Board