



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, November 1, 2016, 4:05 p.m.
Committee Room "E", City Hall

PRESENT: Ms. L. DeLong, A/Chair
Ms. L. Lamon
Ms. T. Lerat
Mr. F. Sutter
Ms. D. Sackmann, A/Secretary

- 1. APPEAL NO. 43-2016
Development Permit Denial
New Public Garage
(Front Landscaping Deficiency)
118 Avenue B South – B3 Zoning District
David Edwards on behalf of Market Tire (1976) 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. Randy Pshebylo, Executive Director, Riversdale Business Improvement District

Mr. Len Ritchot, Manager, Market Tire

Mr. David Edwards, Architect, Partner, Edwards Edwards McEwen

Appeared for the Respondent:

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

Mr. Logan Clewes, Bylaw Inspector, Community Standards,
Community Services, City of Saskatoon

Ms. Elaine Sutherland, Bylaw Inspector, Community Standards,
Community Services, City of Saskatoon

Grounds and Issues:

THE APPELLANT, David Edwards on behalf of Market Tire (1976) 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 a new public garage at 118 Avenue B South.

The property is zoned B3 under *Zoning Bylaw No. 8770*.

Section 10.5.8(1) states that a landscaped strip of not less than 3 metres in width throughout lying parallel to and abutting the front site line shall be provided on every site.

The site plan submitted does not provide landscaping on the front site line. This results in front landscaping deficiency of 3 metres in width.

The Appellant is seeking the Board's approval for a public garage as proposed.

Exhibits:

Exhibit A.1 Application to Appeal received September 13, 2016.

Exhibit R.1 Letter dated August 26, 2016 from the Community Services Department, Planning & Development Division, to David Edwards.

Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received September 23, 2016.

Exhibit B.1 Notice of Hearing dated September 15, 2016.

Supplementary Notions:

The City's representatives, Manager Richter, and Bylaw Inspectors Clewes and Sutherland, affirmed that any evidence given in this hearing and in the hearing to follow would be the truth. The Appellants, David Edwards, Len Richot and Randy Pshebylo, 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 November 15, 2016.

The hearing concluded at 4:26 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated November 15, 2016, the Board determined that the appeal be GRANTED.

**2. APPEAL NO. 47-2016
Development Permit Denial
Proposed Permanent Wall Sign
(Exceeding Number of Signs Permitted)
14-118 Cope Crescent – M3 Zoning District
Laser Impressions on behalf of Saskatoon Naturopathic Medicine**

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. Joel Zolinsky

Appeared for the Respondent:

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

Mr. Logan Clewes, Bylaw Inspector, Community Standards, Community Services, City of Saskatoon

Ms. Elaine Sutherland, Bylaw Inspector, Community Standards, Community Services, City of Saskatoon

Grounds and Issues:

THE APPELLANT, Laser Impressions has filed an appeal on behalf of Saskatoon Naturopathic Medicine 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 Permanent Wall Sign to be located at 14-118 Cope Crescent.

The property is zoned M3 under *Zoning Bylaw No. 8770* and falls under Signage Group 3.

Section 3.3 of the Sign Regulations provides a table which indicates that properties with M3 zoning fall under the provisions of Signage Group No. 3.

Section 3.3.3.4(1) Appendix A states that no more than (1) sign may be affixed to each primary building face per commercial rental unit (CRU).

Based on the information provided three sign applications have been submitted for wall signs at 14-118 Cope Crescent. Only one wall sign may be permitted per primary building face. Out of the three sign applications, the West wall sign "Saskatoon Naturopathic Medicine" is deficient.

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

Exhibits:

Exhibit A.1 Application to Appeal received October 6, 2016.

Exhibit R.1 Letter dated September 28, 2016 from the Community Services Department, Planning & Development Division, to Laser Impressions.

Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received October 24, 2016.

Exhibit B.1 Notice of Hearing dated October 18, 2016.

Supplementary Notions:

The City's representatives, Manager Richter, and Bylaw Inspectors Clewes and Sutherland, affirmed in the previous hearing that any evidence given in this hearing would be the truth. The Appellant, Joel Zolinsky, 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 November 15, 2016.

The hearing concluded at 4:38 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated November 15, 2016, the Board determined that the appeal be DENIED.

The meeting adjourned at 4:46 p.m.

Ms. L. DeLong, A/Chair

Ms. Debby Sackmann, A/Secretary
Development Appeals Board