



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, March 15, 2016, 4:02 p.m.
Committee Room "E", City Hall

PRESENT: Mr. A. Sarkar, Chair
Ms. L. DeLong, Vice Chair
Ms. L. Lamon
Mr. F. Sutter
Ms. D. Sackmann, Secretary

**1. APPEAL NO. 10-2016
Refusal to Issue Development Permit
New Residential Care Home Type II
(Exceeding Maximum Allowable Site Coverage)
702 Evergreen Boulevard – R1A Zoning District
Rick Gilley on behalf of Sunlight Development 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. Rick Gilley, Red Dove Development
Mr. Tony Feng, President, Sunlight Development Ltd.
Ms. Melody Foster
Ms. Xiaobei Chen

Appeared for the Respondent:

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

Grounds and Issues:

THE APPELLANT, Sunlight Development 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 Residential Care Home Type II at 702 Evergreen Boulevard.

The property is zoned R1A under *Zoning Bylaw No. 8770*.

Section 8.2.3(3) states that the maximum site coverage provided for a Residential Care Home Type II can be no more than 40%.

The registered plan shows the area of 702 Evergreen Boulevard as 577.252m². The proposed Care Home will cover approximately 253.924m², or 43.988% of the site. As a result, this development exceeds the maximum site area requirement by 3.988%.

The Appellant is seeking the Board's approval to construct a Residential Care Home Type II which exceeds the maximum site area requirement by 3.988%.

Exhibits:

Exhibit A.1 Application to Appeal received February 16, 2016.

Exhibit R.1 Letter dated January 29, 2016 from the Community Services Department, Planning & Development Division, to Rick Gilley, Red Dove Developments.

Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received February 29, 2016.

Exhibit B.1 Notice of Hearing dated February 23, 2016.

Supplementary Notions:

The City's representative, Paula Kotasek-Toth, affirmed that any evidence given in this hearing would be the truth. The Appellants, Rick Gilley, Tony Feng, Melody Foster, and Xiaobei Chen, 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 April 5, 2016.

The hearing concluded at 4:47 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated April 5 2016, the Board determined that the appeal be DENIED.

2. ADOPTION OF MINUTES

Moved By: Mr. Sutter

That the minutes of meeting of the Development Appeals Board held on February 16, 2016, be adopted.

CARRIED

The meeting adjourned at 5:03 p.m.

Mr. Asit Sarkar, Chair

Ms. Debby Sackmann, Secretary
Development Appeals Board