



**PUBLIC MINUTES  
DEVELOPMENT APPEALS BOARD**

Wednesday, June 29, 2016, 4:00 p.m.  
Committee Room "A", City Hall

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

**1. APPEAL NO. 23-2016  
Refusal to Issue Development Permit  
Proposed Detached Garage  
(Exceeding Maximum Allowable Floor Area)  
118 – 7<sup>th</sup> Street East – R2 Zoning District  
Jason Good**

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. Jason Good

**Appeared for the Respondent:**

Ms. Catherine Kambeitz, Senior Planner, Planning & Development,  
Community Services, City of Saskatoon

Ms. Jo-Anne Richter, Manager, Business Licensing & 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, Jason Good 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 proposed detached garage at 118 7<sup>th</sup> Street East.

The property is zoned R2 under *Zoning Bylaw No. 8770*.

Section 5.7(3)(e) states that no detached accessory building (garage) shall have a total floor area greater than the main floor area of the principal dwelling.

The main floor area of the property at 118 7<sup>th</sup> Street East is 61.823 square metres.

The site plan submitted shows the proposed floor area of the detached garage is 83.613 square metres.

As a result, the detached garage exceeds the maximum floor area by 21.790 square metres.

The Appellant is seeking the Board's approval to construct a detached garage exceeding the maximum allowable floor area.

**Exhibits:**

- Exhibit A.1 Application to Appeal received June 6, 2016.
- Exhibit R.1 Letter dated June 6, 2016 from the Community Services Department, Planning & Development Division, to Jason Good.
- Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received June 21, 2016.
- Exhibit B.1 Notice of Hearing dated June 13, 2016.
- Exhibit B.2 Support email from Ray and Darlene Aikman, received June 17, 2016.
- Exhibit B.3 Letter from Roger Nizinkovich and Wynne Nicholson supporting the appeal, received on June 20, 2016.
- Exhibit B.4 Letter from Cliff Smith supporting the appeal, received on June 19, 2016.
- Exhibit B.5 Supporting email from Brian Smith, received on June 22, 2016.

**Supplementary Notions:**

The City's representative, Catherine Kambeitz, affirmed that any evidence given in this hearing would be the truth. The Appellant, Jason Good, 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 July 19, 2016.

The hearing concluded at 4:22 p.m.

**RESOLVED:** that for the reasons outlined in the Record of Decision dated July 19, 2016, the Board determined that the appeal be DENIED.

**2. APPEAL NO. 24-2016  
Permanent Sign Denial  
Proposed Wall Signs  
(Exceeding Maximum Quantity and Type Allowed)  
3202 Preston Avenue South – B1B Zoning District  
Priority Permits 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 representatives.

**Appeared for the Appellant:**

Mr. Jonathan Pedlow, McDonald's Restaurants of Canada

Mr. Muir Barber, Pinnacle Developments

**Appeared for the Respondent:**

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

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

Ms. Catherine Kambeitz, Senior Planner, Planning & Development,  
Community Services, City of Saskatoon

**Grounds and Issues:**

THE APPELLANT, Priority Permits Ltd. has filed an appeal on behalf of McDonald's Restaurants of Canada Ltd. under Section 219(1)(b) of *The Planning and Development Act, 2007*, in connection with the City's refusal to issue Development Permits for Permanent Wall Signs to be located at 3202 Preston Avenue South.

The property is zoned B1B under *Zoning Bylaw No. 8770* and falls under Signage Group 2.

Section 3.2.3.5(1), Appendix A states that: No more than (1) sign may be affixed to each primary building face per commercial rental unit (CRU): 1.

Section 3.2.2 provides a table explaining what sign types are permitted within Signage Group 2. Electronic Message Centres are not permitted under Signage Group 2 on properties zoned B1B.

Based on the information provided:

- Only 1 wall sign per primary building face may be permitted at the 3202 Preston Avenue South location and 15 applications have been submitted for wall signs.
- 2 of the 15 sign applications are for electronic message centres, which are not allowed under Signage Group 2 in a B1B zoning district.

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

**Exhibits:**

Exhibit A.1 Application to Appeal received June 9, 2016.

Exhibit R.1 Letter dated June 3, 2016 from the Community Services Department, Planning & Development Division, to Priority Permits.

Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received June 21, 2016.

Exhibit B.1 Notice of Hearing dated June 14, 2016.

**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 Appellants, Jonathan Pedlow and Muir Barber, 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 July 19, 2016.

Business Licensing & Bylaw Compliance Manager Richter and Bylaw Inspector Clewes excused themselves upon the hearing's conclusion at 5:04 p.m.

**RESOLVED:** that the decision be **GRANTED IN PART**. The Board supports the McCafe signs proposed for the left, right, and front elevations, which are located in proximity to the approved Golden Arches signs. All other aspects of this appeal are **DENIED**.

**3. APPEAL NO. 21-2016**  
**Refusal to Issue Development Permit**  
**Proposed Creation of Three Separate Development Sites**  
**(With North and South Side Yard Deficiencies)**  
**530 Avenue J North – R2 Zoning District**  
**Griffin Properties 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:**

Griffin Properties Inc. (absent)

**Appeared for the Respondent:**

Ms. Catherine Kambeitz, Senior Planner, Planning & Development,  
Community Services, City of Saskatoon

**Grounds and Issues:**

THE APPELLANT, Griffin Properties Inc. 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 the creation of three separate development sites at 530 Avenue J North.

The property is zoned R2 under *Zoning Bylaw No. 8770*.

Section 8.4.2(1) states that a one-unit dwelling located within a R2 Zone requires a minimum side yard setback of 0.75 metres.

The existing one-unit dwelling located at 530 Avenue J North (Lot 30) has a side yard setback along the north site line of 0.74 metres. As a result, the north side yard is 0.01 metres short.

The side yard setback along the south site line has a side yard setback of 0.61 metres. As a result, the south side yard is 0.14 metres short.

The Appellant is seeking the Board's approval to create three separate development sites, with north and south side yard setbacks that are 0.01 and 0.14 metres short respectively.

**Exhibits:**

Exhibit A.1 Application to Appeal received June 1, 2016.

Exhibit A.2 Applicant's written testimony, received June 24, 2016.

Exhibit R.1 Letter dated June 1, 2016 from the Community Services Department, Planning & Development Division, to Kyle Reid, Griffin Properties Inc.

Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received June 14, 2016.

Exhibit B.1 Notice of Hearing dated June 7, 2016.

**Supplementary Notions:**

The City's representative, Catherine Kambeitz, affirmed that any evidence given in this hearing would be the truth. The Appellants were not in attendance.

The Respondent provided evidence and argument as outlined in the Record of Decision dated July 19, 2016.

The hearing concluded at 5:12 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated July 19, 2016, the Board determined that the appeal be GRANTED.

The meeting adjourned at 5:14 p.m.

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Ms. Leanne DeLong, A/Chair

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Ms. Debby Sackmann, Secretary  
Development Appeals Board