



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, November 3, 2015, 3:57 p.m.
Committee Room "E", City Hall

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

- 1. APPEAL NO. 35-2015
Refusal to Issue Development Permit
Detached Accessory Structure (New Detached Deck)
(With Floor Exceeding Maximum Allowable Height Above Grade)
1319 Avenue J North – R2 Zoning District
Ellis Berg**

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. Ellis Berg

Appeared for the Respondent:

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

Grounds and Issues:

THE APPELLANT, Ellis Berg 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 Development Permit for a new detached rear deck at 1319 Avenue J North.

The property is zoned R2A under Zoning Bylaw No. 8770.

Section 5.7(3)(d) states that in any R or M district, or in any B1, B1A, B2 district or in the DCD4 district no detached accessory buildings or structures shall have a floor located more than 1.2 meters above grade level. The proposed detached deck structure shows a floor 3.048 meters (10') above grade level. This equals a deficiency of 1.848 meters (6.063').

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

Exhibits:

- Exhibit A.1 Application to Appeal received October 6, 2015.
- Exhibit R.1 Letter dated September 21, 2015 from the Community Services Department, Planning and Development Division, to Ellis Berg.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received October 19, 2015.
- Exhibit B.1 Notice of Hearing dated October 8, 2015, 2015.
- Exhibit B.2 Support email from Dean Fehr, received October 20, 2015.

Supplementary Notions:

The City's representative, Paula Kotasek-Toth, affirmed that any evidence given in this hearing would be the truth. The Appellant, Ellis Berg, 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 November 19, 2015.

The hearing concluded at 4:17 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated November 19, 2015, the Board determined that the appeal be DENIED.

2. ADOPTION OF MINUTES

2.1 Minutes of Regular Meeting of the Development Appeals Board on September 23, 2015

Moved by: Ms. Lamon

That the minutes of meeting held on September 23, 2013, be adopted.

CARRIED

2.2 Minutes of Regular Meeting of the Development Appeals Board on October 6, 2015

Moved by: Ms. Lamon

That the minutes of meeting held on October 6, 2015, be adopted.

CARRIED

The meeting adjourned at 4:21 p.m.

Ms. Christine Ruys, Chair

Ms. Debby Sackmann, Secretary
Development Appeals Board