



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, February 13, 2018, 4:00 p.m.
Committee Room "E", City Hall

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

- 1. APPEAL NO. 7-2018
Development Permit Denial
Non-Conforming Development Site – Proposed Two Unit Dwelling
(Exceeding Maximum Allowable Site Coverage and
Site Width Deficiency – Site 2)
1525 Coy Avenue – R2 Zoning District
Ron Dmello, Guardian Investments**

The A/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. Ron Dmello, Guardian Investments – via teleconference
Mr. Ken Wilson, RBM Architecture

Appeared for the Respondent:

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

Grounds and Issues:

THE APPELLANT, Ron Dmello, Guardian Investments, 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 non-conforming development site to be used for a proposed two-unit dwelling at 1525 Coy Avenue.

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

Requirement: Section 8.4.2(2) of the Zoning Bylaw states that the minimum site width for a two-unit dwelling is 15 metres.

Proposed: Based on the information provided development site 2 will have a site width of 13.7 metres.

Deficiency: The site width of development site 2 is deficient 1.3 metres.

Requirement: Section 8.4.2(2) of the Zoning Bylaw states that the maximum site coverage for a two-unit dwelling is 40%.

Proposed: Based on the information provided the building coverage was calculated to be 237.4 square metres and development site 2 will have a site area of 539.47 square metres. This results in a site coverage of 44%.

Deficiency: The maximum site coverage of the site is exceeded by 4%.

Exhibits:

Exhibit A.1 Application to Appeal received January 10, 2018.
Exhibit A.2 Document submitted by the Appellant, received February 12, 2018.

Exhibit R.1 Letter dated December 21 2017 from the Community Services Department, Planning & Development Division, to Ron Dmello.
Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received January 18, 2018.

Exhibit B.1 Notice of Hearing dated January 11, 2018.
Exhibit B.2 Letter from Susan Ashton opposing the appeal, received on February 7, 2018.
Exhibit B.3 Letter from Brent Ashton opposing the appeal, received on February 7, 2018.
Exhibit B.4 Email from Olan Turgeon opposing the appeal, received on February 7, 2018.

Supplementary Notations:

The City's representative, Senior Planner Kotasek-Toth, affirmed that any evidence given in this hearing and in the hearing to follow would be the truth. The Appellants, Mr. Dmello and Mr. Wilson, 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 March 13, 2017.

The hearing concluded at 4:40 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated March 13, 2017, the Board determined that the appeal be GRANTED.

**2. APPEAL NO. 35-2017
Development Permit Denial
Addition to One-Unit Dwelling
(With Front Yard Setback Deficiency)
526 Avenue H South – R2 Zoning District
Robert Hrytsak**

The A/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. Rob Hrytsak
Mr. Darwin Cossette
Mr. Eldred Hrytsak

Appeared for the Respondent:

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

Preliminary Issues:

At the onset of the appeal Mr. Hrytsak asked to circulate photographs taken of the subject property and a neighbouring property. No objections were put forth and the photos were entered into the record as Exhibit A.2. The Secretary undertook to make a copy for the Respondent.

Grounds and Issues:

THE APPELLANT, Robert Hrytsak, 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 construction of an addition to a one-unit dwelling at 526 Avenue H South.

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

1. Requirement: Section 8.4.2(1) states that the minimum front yard setback is 6 metres.

Proposed: Based on the information provided the front yard setback is 4.41 metres.

Deficiency: The front yard setback is deficient 1.59 metres.

The Appellant is seeking the Board's approval for a development permit as proposed.

Exhibits:

Exhibit A.1 Application to Appeal received November 24, 2017.

Exhibit A.2 Site photographs, received February 13, 2018.

Exhibit R.1 Letter dated November 3, 2017 from the Community Services Department, Planning & Development Division, to Robert Hrytsak.

Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received December 29, 2017.

Exhibit B.1 Revised Notice of Hearing dated January 12, 2018.

Supplementary Notations:

The City's representative, Senior Planner Kotasek-Toth, affirmed in the previous hearing that any evidence given in this hearing would be the truth. The Appellants, Mr. R. Hrystak, Darwin Cossette, and Mr. E. Hrystak, 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 March 13, 2017.

The hearing concluded at 5:10 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated March 13, 2017, the Board determined that the appeal be GRANTED.

The meeting adjourned at 5:25 p.m.

Ms. Leanne DeLong, A/Chair

Ms. D. Sackmann, A/Secretary
Development Appeals Board