



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, June 27, 2017, 4:00 p.m.
Committee Room "E", City Hall

PRESENT: Mr. A. Sarkar, Chair
Ms. L. DeLong, Vice-Chair
Ms. L. Lamon
Ms. T. Lerat
Ms. P. Walter, Secretary

**1. APPEAL NO. 12-2017
Refusal to Issue Development Permit
New One-Unit Dwelling
(With Front Yard Setback Deficiency
319 - 25th Street West – R2A Zoning District
Devon Schollar**

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. Devon Schollar

Appeared for the Respondent:

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

Grounds and Issues:

THE APPELLANT, Devon Schollar 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 one-unit dwelling at 319 25th Street West.

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

1. Requirement: Section 8.5.2 states that the minimum front yard setback is 6 metres.

Proposed: The site plan proposes a 3 metre front yard setback.

Deficiency: The proposed front yard setback is deficient 3 metres.

The Appellant is seeking the Board's approval for a one-unit dwelling as proposed.

Exhibits:

Exhibit A.1 Application to Appeal received June 1, 2017.

Exhibit R.1 Letter dated May 31, 2017 from the Community Services Department, Planning & Development Division, to Devon Schollar.

Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received June 21, 2017.

Exhibit B.1 Notice of Hearing dated June 5, 2017.

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 Appellant, Mr. Devon Schollar, 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 4, 2017.

The hearing concluded at 4:09 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated July 4, 2017, the Board determined that the appeal be GRANTED.

**2. APPEAL NO. 14-2017
Refusal to Issue Development Permit
Accessory Building
(With Proposed Building Exceeding Maximum Allowable
Rear Yard Coverage)
206 Saskatchewan Crescent West – R2 Zoning District
Joe Hunchak, Hunchak Homes 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:

Ms. Wanda Hunchak, Hunchak Homes Ltd.
Ms. Renea Cave, Final Draft Co. Ltd.
Mr. Brett Johnson, Final Draft Co. Ltd.

Appeared for the Respondent:

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

Grounds and Issues:

THE APPELLANT, Joe Hunchak, Hunchak Homes 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 an accessory building at 206 Saskatchewan Crescent West.

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

Requirement: Section 5.7(5) states that the maximum permitted coverage in a rear yard shall be determined by means of Graph no. 5.7(5). The subject property has lot area of 608.8 square metres, which correlates to a maximum rear yard coverage of 30 percent.

Proposed: The site plan identifies a rear yard area of 251.48 square metres (15.698 metres x 16.02 metres). The proposed accessory building has an area

of 86.09 square metres. The proposed rear yard coverage is 34.55 percent (86.9 square metres/251.48 square metres).

Deficiency: The rear yard coverage exceeds the maximum permitted by 4.55 percent.

The Appellant is seeking the Board's approval for an accessory building as proposed.

Exhibits:

- Exhibit A.1 Application to Appeal received June 9, 2017.
- Exhibit R.1 Letter dated June 6, 2017 from the Community Services Department, Planning & Development Division, to Joe Hunchak.
- Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received June 21, 2017.
- Exhibit B.1 Notice of Hearing dated June 13, 2017.
- Exhibit B.2 Email from Gary Entwistle in opposition to the appeal, received June 27, 2017.

Supplementary Notations:

The City's representative, Senior Planner Kotasek-Toth, affirmed that any evidence given in this hearing would be the truth. The Appellants, Ms. Wanda Hunchak, Ms. Renea Cave, and Mr. Brett Johnson, also affirmed that any evidence given in this hearing would be the truth.

The Appellant and Respondents provided evidence and arguments as outlined in the Record of Decision dated July 4, 2017.

The hearing concluded at 4:39 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated July 4, 2017, the Board determined that the appeal be GRANTED.

The meeting adjourned at 4:49 p.m.

Mr. Asit Sarkar, Chair

Ms. Penny Walter, Secretary
Development Appeals Board