



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, March 1, 2016, 4:00 p.m.
Committee Room "E", City Hall

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

**1. APPEAL NO. 9-2016
Order to Remedy Contravention
Use of Office Space for Living Accommodations
3120 Laurier Drive, Bay 3 – M3 Zoning District
Ms. Fen Fang Yi, Sunhope Wellness Centre**

The Board's A/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. Fen Fang Yi

Appeared for the Respondent:

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

Ms. Sherry Paulson, Bylaw Inspector, Planning & Development, Community
Services, City of Saskatoon

Grounds and Issues:

THE APPELLANT, Fen Fang Yi, on behalf of the Sunhope Wellness Centre, has filed an appeal under Section 219(1)(c) of *The Planning and Development Act, 2007*, in connection with an Order to Remedy Contravention dated January 29, 2016 for the property located at Bay 3, 3120 Laurier Drive.

The Order to Remedy Contravention was issued for this property on January 29, 2016 pursuant to Section 242(4) of *The Planning and Development Act, 2007*, and the Order states as follows:

“Contravention

Building Permit No. 63/1996 was issued for alteration to office. The form of development at Bay 3, 3120 Laurier Drive has been altered into living accommodations consisting of sleeping facilities, bed, bedding, suitcase with personal items, fridge, microwave, rice cookers, hot plate, strainers, frozen food. Such a development is illegal.

1. The office has been developed into a dwelling unit containing sleeping facilities, sanitary facilities and kitchen with kitchen cabinets, kitchen sinks, refrigerators and table and chairs.

You are hereby ordered to:

On or before March 7, 2016, cease using or permitting the use of Bay 3, 3120 Laurier Drive for the purposes of living accommodations; and

On or before March 7, 2016, alter the form of development so as to remove the contravention by removing all beds (except massage table) from 3120 Laurier Drive. Remove all bedding (except for massage table), suitcase with personal items, fridge, strainers, frozen food, microwave, rice cookers, hot plate, or any other cooking appliances.

Section:

4.2(1); 4.3.1(1); 9.3.1 and 2.0 “dwelling unit” of the *Zoning Bylaw No. 8770*.”

The Appellant is appealing the above-referenced Order to Remedy Contravention.

Exhibits:

- Exhibit A.1 Application to Appeal received February 11, 2016.
- Exhibit R.1 Order dated January 29, 2016 from the Community Services Department, Planning & Development Division, to Sunhope Wellness Centre and HK Holdings Ltd.
- Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received February 23, 2016.

Exhibit B.1 Notice of Hearing dated February 12, 2016.

Supplementary Notions:

The City's representatives, Jo-Anne Richter and Sherry Paulson, affirmed that any evidence given in this hearing would be the truth. The Appellant, Fen Fang Yi, 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 March 15, 2016.

The hearing concluded at 4:30 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated March 15, 2016, the Board determined:

- 1) THAT the appeal on the issue of allowing a microwave and fridge remain in place at Bay 3, 3120 Laurier Drive be **GRANTED**.
 - 2) THAT the date for compliance to cease using or permitting the use of Bay 3, 3120 Laurier Drive for the purposes of living accommodations be **UPHELD**.
 - 3) THAT the time for completion of removal of all beds and bedding (except massage table), suitcase with personal items, strainers, frozen food, rice cookers, hot plate or any other cooking appliances from Bay 3, 3120 Laurier Drive be **UPHELD**.
2. **APPEAL NO. 7-2016**
Order to Remedy Contravention
Development of a One-Unit Dwelling into a Two-Unit Dwelling
(Containing Separate Dwelling Unit on Lower/Ground Floor)
150 Beechmont Crescent – R1A Zoning District
Judith (Shaun) Hunchak

The City's representative, Ms. Jo-Anne Richter, indicated to the Board that the above-noted application had been withdrawn by the Appellant. Ms. Richter

stated that the Appellant had complied with the Order to Remedy to the City's satisfaction.

RESOLVED: that the information be **RECEIVED** and that as expenses had been incurred at the time of the withdrawal of the appeal, that the filing fee of \$50 be **RETAINED**.

3. ADOPTION OF MINUTES

Moved By: Ms. Lamon

That the minutes of meeting of the Development Appeals Board held on February 2, 2016, be adopted.

CARRIED

The meeting adjourned at 4:47 p.m.

Ms. Leanne DeLong, A/Chair

Ms. Debby Sackmann, Secretary
Development Appeals Board