



**PUBLIC MINUTES  
DEVELOPMENT APPEALS BOARD**

Tuesday, May 30, 2017, 4:00 p.m.  
Committee Room "E", City Hall

PRESENT: Mr. A. Sarkar, Chair  
Ms. L. Lamon  
Mr. F. Sutter  
Ms. P. Walter, Secretary

- 1. APPEAL NO. 5-2017  
Refusal to Issue Development Permit  
Office Building  
(With Site Width Deficiency)  
220 Avenue D South – MX1 Zoning District  
Scott Boyd**

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. Scott Boyd  
Ms. Louella Poberznek

**Appeared for the Respondent:**

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

**Appeared in Support of the Appeal:**

Mr. Randy Pshebylo, Riversdale Business Improvement District

**Grounds and Issues:**

THE APPELLANT, Scott Boyd, 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 office building at 220 Avenue D South.

The property is zoned MX1 under *Zoning Bylaw No. 8770*.

Requirement: Section 12.7.2(1) of the City of Saskatoon's Zoning Bylaw No. 8770, states that the minimum site width for an Office Building in the MX1 zoning district is 7.5 metres.

Proposed: The site plan identifies a width of 7.01 metres.

Deficiency: The width of the subject site is deficient 0.49 metres.

The Appellant was seeking the Board's approval for an office building as proposed.

**Exhibits:**

- Exhibit A.1 Application to Appeal received April 26, 2017.
- Exhibit A.2 Photo submitted by the Appellant on May 26, 2017.
- Exhibit A.3 Photo submitted by the Appellant on May 26, 2017.
  
- Exhibit R.1 Letter dated April 20, 2017 from the Community Services Department, Planning & Development Division, to Scott Boyd.
- Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received May 15, 2017.
  
- Exhibit B.1 Notice of Hearing dated May 2, 2017.
- Exhibit B.2 Submission from Randy Pshebylo, Riversdale Business Improvement District, dated May 30, 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 Appellants, Scott Boyd and Louella Poberznek, 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 June 12, 2017.

The hearing concluded at 4:15 p.m.

**RESOLVED:** that for the reasons outlined in the Record of Decision dated June 12, 2017, the Board determined that the appeal be GRANTED.

**2. APPEAL NO. 6-2017  
Refusal to Issue Development Permit  
Discretionary Use Application PL 4355 D5/17  
Proposed Expansion to Residential Care Home Type II (12 Residents)  
(With Site Width Deficiency)  
102 Hargreaves Green – R1A Zoning District  
Barinder Randhawa**

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. Barinder Randhawa  
Mr. Japjyot S. Sandhu  
Mr. Gurwinder S. Randhawa

**Appeared for the Respondent:**

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

**Grounds and Issues:**

THE APPELLANT, Barinder Randhawa, 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 expansion to residential care home type II (Max 12 Residents) at 102 Hargreaves Green.

The property is zoned R1A under Zoning Bylaw No. 8770.

Requirement: Section 8.2.3(3) outlines the minimum development standard required for a residential care home – type II. The minimum site width required is 15 metres.

Proposed: The site plan identifies a site width of 14.40 metres.

Deficiency: The site width is deficient 0.60 metres.

The Appellant was seeking the Board's approval for expansion to residential care home type II as proposed.

**Exhibits:**

Exhibit A.1 Application to Appeal received April 27, 2017.

Exhibit R.1 Letter dated April 20, 2017 from the Community Services Department, Planning & Development Division, to Barinder Randhawa.

Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received May 15, 2017.

Exhibit B.1 Notice of Hearing dated May 21, 2017.

Exhibit B.2 Support email from Tara Ebach, received May 6, 2017.

Exhibit B. 3 Opposition Letter from Kim Smith, received May 10, 2017.

**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, Barinder Randhawa, Japjyot Sandhu, and Gurwinder Randhawa, 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 June 12, 2017.

The hearing concluded at 4:17 p.m.

**RESOLVED:** that for the reasons outlined in the Record of Decision dated June 12, 2017, the Board determined that the appeal be DENIED.

**3. ADOPTION OF MINUTES**

**Moved By:** Mr. Sutter

That the minutes of meeting of the Development Appeals Board held on May 9, 2017 be adopted.

**CARRIED**

The meeting adjourned at 4:33 p.m.

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Mr. Asit Sarkar, Chair

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Ms. Penny Walter, Secretary  
Development Appeals Board