



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, July 7, 2015, 4:00 p.m.
Committee Room "E", City Hall

PRESENT: Ms. C. Ruys, Chair
Ms. L. DeLong
Ms. L. Lamon
Mr. A. Sarkar
Committee Assistant P. Walter, Secretary

**1. APPEAL NO. 19-2015
Refusal to Issue Development Permit
Proposed Garage Suite – Accessory Building
(With Side Yard Setback Deficiency)
321 Hugo Avenue – R2 Zoning District
Jeff Nattress on behalf of Shelly Loeffler**

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. Crystal Bueckert, BLDG Studio Inc.
Mr. Jeff Nattress, Laneway Suites Ltd.
Ms. Shelly Loeffler

Appeared for the Respondent:

Ms. Paula Kotasek-Toth, City of Saskatoon, Community Services Department, Planning and Development Division

Mr. Daniel McLaren, City of Saskatoon, Community Services Department, Planning and Development Division

Appeared for the Appeal:

Mr. James Pinilla

Preliminary Issues:

Mr. Jeff Nattress submitted two photos and requested that they be allowed into evidence.

The Board and Respondent reviewed the photos and agreed that they be allowed into evidence as Exhibit A.3.

Grounds and Issues:

THE APPELLANT, Jeff Nattress, Laneway Suites Ltd., has filed an appeal on behalf of Shelly Loeffler under Section 219(1)(b) of *The Planning and Development Act, 2007* in connection with the refusal to issue Development Permit for a proposed garage suite, for the property located at 321 Hugo Avenue.

The property is zoned R2 under Zoning Bylaw 8770.

Section 5.43(22) states that a garage suite in a category 1 neighbourhood have a side yard setback of 0.75 metres, with a minimum 1.2 metres side yard setback provided on one side of the site.

Based on the information provided:

- The side yard setback to the north is 0.75 metres and to the south is 0.775 metres. This equals one side yard setback deficiency of 0.425 metres.

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

Exhibits:

- Exhibit A.1 Application to Appeal received June 18, 2015.
Exhibit A.2 Proposed Garage Suite Document submitted by Crystal Bueckert, Received July 2, 2015.
Exhibit A.3 Two photos submitted by Jeff Nattress.
- Exhibit R.1 Letter dated June 16, 2015 from the Community Services Department, Planning and Development Division, to Jeff Nattress.
Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received June 30, 2015.
- Exhibit B.1 Notice of Hearing dated June 19, 2015.
Exhibit B.2 Opposition email from Julia Ewing, received June 29, 2015.

- Exhibit B.3 Opposition email from Lorraine Khachatourians, received June 29, 2015.
- Exhibit B.4 Support email from Byron Eberle and Eryn Siba, received July 6, 2015.
- Exhibit B.2 Opposition email from Julia Ewing, received June 29, 2015.
- Exhibit B.3 Opposition email from Lorraine Khachatourians, received June 29, 2015.
- Exhibit B.4 Support email from Byron Eberle and Eryn Siba, received July 6, 2015.

Supplementary Notions:

The City's representatives, Paula Kotasek-Toth and Daniel McLaren, affirmed that any evidence given in this hearing would be the truth. The Appellants, Jeff Nattress, Crystal Bueckert, Shelly Loeffler and neighbouring property owner, James Pinilla, also affirmed that any evidence given in this hearing would be the truth.

The Appellants and Respondents provided evidence and arguments as outlined in the Record of Decision dated July 21, 2015.

The hearing concluded at 4:31 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated July 21, 2015, the Board determined that the appeal be GRANTED.

2. APPEAL NO. 20-2015
Refusal to Issue Development Permit
Proposed Garage Suite – Accessory Building
(With Area of Accessory Building Exceeding Area of
Principal Building)
3120 Caen Street – R2 Zoning District
Jeff Nattress on behalf of Trina and Curtis Schmid

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. Crystal Bueckert, BLDG Studio Inc.
Mr. Jeff Nattress, Laneway Suites Ltd.

Appeared for the Respondent:

Ms. Paula Kotasek-Toth, City of Saskatoon, Community
Services Department, Planning and Development Division

Mr. Daniel McLaren, City of Saskatoon, Community Services
Department, Planning and Development Division

Preliminary Issues:

Mr. Jeff Nattress submitted an aerial photo and requested that it be allowed into evidence.

The Board and Respondent reviewed the aerial photo and agreed that it be allowed into evidence as Exhibit A.4.

Grounds and Issues:

THE APPELLANT, Jeff Nattress, Laneway Suites Ltd. has filed an appeal on behalf of Trina and Curtis Schmid under Section 219(1)(b) of *The Planning and Development Act, 2007* in connection with the refusal to issue Development Permit for a proposed garage suite – accessory building, for the property located at 3120 Caen Street.

The property is zoned R2 under Zoning Bylaw 8770.

Section 5.43(3) states that the area of a garden or garage suite shall not exceed the area of the principal building.

Based on the information provided:

- The area of the garage suite is 148 m²;
- The area of the principal building is 74m²;
- The area of the garage suite exceeds the area of the principal building by 74m².

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

Exhibits:

- Exhibit A.1 Application to Appeal received June 18, 2015.
- Exhibit A.2 Proposed Garage Suite Document from Appellant received July 2, 2015.
- Exhibit A.3 Emails submitted by the Appellant received July 2, 2015.
- Exhibit A.4 Aerial Photo

- Exhibit R.1 Letter dated June 16, 2015 from the Community Services Department, Planning and Development Division, to Jeff Nattress.
- Exhibit R.2 Location Plan and Site Plan from Planning and Development Division, Community Services Department, received June 30, 2015.

- Exhibit B.1 Notice of Hearing dated June 22, 2015.
- Exhibit B.2 Opposition email from Don Elliott, received June 24, 2015.
- Exhibit B.3 Opposition email from Carol and Ken Holmes, received July 3, 2015.

Supplementary Notions:

The City's representatives, Paula Kotasek-Toth and Daniel McLaren, affirmed that any evidence given in this hearing would be the truth. The Appellants, Jeff Nattress and Crystal Bueckert, also affirmed that any evidence given in this hearing would be the truth.

The Appellants and Respondents provided evidence and arguments as outlined in the Record of Decision dated July 21, 2015.

The hearing concluded at 5:10 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated July 21, 2015, the Board determined that the appeal be DENIED.

3. ADOPTION OF MINUTES

**Minutes of Regular Meeting of the Development Appeals Board on
June 2, 2015**

Moved by: Mr. Sarkar

That the minutes of meeting held on June 2, 2015, be adopted.

CARRIED

The meeting adjourned at 5:24 p.m.

Ms. Christine Ruys, Chair