



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, January 17, 2017, 4:00 p.m.
Committee Room "E", City Hall

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

1. APPOINTMENT OF CHAIR AND VICE CHAIR

The Secretary reported that the Board is requested to appoint a Chair and Vice-Chair for 2017.

Moved By: Mr. Sutter

That Mr. Asit Sarkar be appointed as Chair and Ms. Leanne DeLong be appointed Vice-Chair for the Development Appeals Board for 2017.

CARRIED

**2. APPEAL NO. 54-2016
Refusal to Issue Development Permit
Addition to an Art Gallery
(With Side Yard Setback Deficiency and Deficiency of 5 Parking Stalls)
1128 – 8th Street East – M1 Zoning District
Maurice Soulodre Architect 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:

Mr. Maurice Soulodre, Architect
Mr. Jason Bantle
Ms. Jeannine Douville

Appeared for the Respondent:

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

Grounds and Issues:

THE APPELLANT, Maurice Soulodre Architect 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 addition to an art gallery at 1128 8th Street East.

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

Requirement

Section 9.1.2(7) states that the side yard setback requirement for art galleries and museums is 1.5 metres.

Proposed

The site plan submitted identifies a setback of 0.914 metres from the side (east) property line to the proposed addition.

Deficiency

The side yard setback is deficient 0.586 metres.

Requirement

Section 6.3.2(4) states that the minimum parking requirement for art galleries, public libraries and museums is based on a rate of 1 space per 30m² of gross floor area. Based on the plans submitted the art gallery will have a total gross floor area of 346.49m². Base on this gross floor area the required parking for the art gallery is 12 stalls.

Proposed

The site plan submitted identifies a total of 7 parking stalls.

Deficiency

The required parking is deficient 5 parking stalls.

The Appellant is seeking the Board's approval for an addition to an art gallery as proposed.

Exhibits:

- Exhibit A.1 Application to Appeal received December 20, 2016.
- Exhibit R.1 Letter dated December 19, 2016 from the Community Services Department, Planning & Development Division, to Maurice Soulodre.
- Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received January 9, 2017.
- Exhibit B.1 Notice of Hearing dated December 29, 2016.

Supplementary Notions:

The City's representative, Senior Planner Kotasek-Toth, affirmed that any evidence given in this hearing would be the truth. The Appellants, Maurice Soulodre, Jason Bantle and Jeannine Douville, 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 January 23, 2017.

The hearing concluded at 4:23 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated January 23, 2017, the Board determined that the appeal be GRANTED subject to providing a revised site plan with the removal of the detached garage to the City of Saskatoon, Community Services Department, Planning and Development.

2. ADOPTION OF MINUTES

Moved By: Mr. Sutter

That the minutes of meeting of the Development Appeals Board held on December 6, 2016 and December 20, 2016, be adopted.

CARRIED

The meeting adjourned at 4:27 p.m.

Mr. Asit Sarkar, Chair

Ms. Penny Walter, Secretary
Development Appeals Board