



**PUBLIC MINUTES
DEVELOPMENT APPEALS BOARD**

Tuesday, February 28, 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. APPEAL NO. 1-2017
Refusal to Issue Development Permit
Additions and Alterations to Shopping Centre (Circle Centre Mall)
(With Deficiency in Number of Parking Stalls)
Morguard Investments Limited on behalf of
Centre at Circle and Eighth Property Inc.**

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. David Bubnick, Centre at Circle & Eighth Property Inc.
Mr. Arif Uddin, Petroff Partnership Architects
Mr. Nathan Gray, WSP Division Company

Appeared for the Respondent:

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

Grounds and Issues:

THE APPELLANT, Morguard Investments Limited on behalf of Centre at Circle and Eighth Property Inc., 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 additions and alterations to a shopping centre (Circle Centre Mall) at 3510 8th Street East.

The property is zoned B4 under *Zoning Bylaw No. 8770*.

Section 6.3.3(6) states that for shopping centres, 1 space per 24 m² of gross leasable floor area up to 10,000m², beyond which 1 additional space is required for each additional 17 m² of gross leasable floor area in excess of 10,000m². The shopping centre exceeds 10,000 m² therefore all new gross leasable floor area that is added will require 1 space every 17m².

There are 966 parking spaces that are proposed on this site. Based on the shown additions, alterations and demolitions, a total of 1096 parking stalls will be required. This results in a deficiency of 130 parking spaces.

The Appellant is seeking the Board's approval for an additions and alterations to shopping centre as proposed.

Exhibits:

- Exhibit A.1 Application to Appeal received February 13, 2017.
- Exhibit A.2 PowerPoint presentation prepared by Nathan Gray, WSP/MMM Group, received February 23, 2017

- Exhibit R.1 Letter dated February 3, 2017 from the Community Services Department, Planning & Development Division, to Petroff Partnership Architects.
- Exhibit R.2 Location Plan and Site Plan from Planning & Development Division, Community Services Department, received February 21, 2017.

- Exhibit B.1 Notice of Hearing dated February 14, 2017.
- Exhibit B.2 Opposition email from Penny Lowes, received February 28, 2017.

Supplementary Notations:

The City's representative, Sr. Planner Kotasek-Toth, affirmed that any evidence given in this hearing would be the truth. The Appellants, Mr. Bubnick, Mr. Uddin, and Mr. Gray, 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 March 13, 2017.

The hearing concluded at 4:30 p.m.

RESOLVED: that for the reasons outlined in the Record of Decision dated March 13, 2017, the Board determined that the appeal be GRANTED.

2. ADOPTION OF MINUTES

Moved By: Ms. Lamon

That the minutes of meeting of the Development Appeals Board held on January 17, 2017, be adopted.

CARRIED

The meeting adjourned at 4:45 p.m.

Mr. Asit Sarkar, Chair

Ms. Penny Walter, Secretary
Development Appeals Board