



**NOTICE OF HEARING  
OPEN TO THE PUBLIC  
DEVELOPMENT APPEALS BOARD**

December 17, 2019, 4:00 pm  
Committee Room E, Ground Floor, City Hall

*(Please contact the City Clerk's Office at 306.975.3240 for further information).*

1. **Appeal 36 - 2019 - Order to Remedy Contravention - 410 Lowe Road**  
Hard Surface Parking - As per September 17, 2017 approved site plan
2. **Appeal 37-2019 - Order to Remedy Contravention - 312 Arthur Avenue**  
Hard Surface Parking - As per June 8, 2017 approved site plan



City of Saskatoon Development Appeal Application- page 2

THIS PAGE WILL FORM PART OF THE PUBLIC RECORD FOR THE APPEAL

Applicant Name: SEPW ARCHITECTURE INC.

Registered Property Owner(s):

(if different from above):

AGRICULTURE AND AGRI. FOOD CANADA.

Location of Subject Property

Legal Description NE. 1/4 SEC. 1 TWP. 37, R6E. 5 W. 3. MER.

Lot (s) \_\_\_\_\_ Block \_\_\_\_\_ Plan No. \_\_\_\_\_

Civic Address: 410 LOVE ROAD, SASKATOON

Present Status of Building or Structure Under Appeal:

☐ Construction not yet begun☐ Under Construction☒ Completed

Type of Construction:

☐ Residential☐ Commercial☒ Industrial☒ Other  
(specify)FARM  
SITE

Description of Development Appeal: (example: side yard deficiency, parking deficiency, etc.)

ORDER TO REMEDY INDICATES PARKING AREA DEVELOPED AS PART OF BUDG.  
EXPANSION CONTRAVENES HARD SURFACE PERMIT OF ZONING BYLAW  
8770.Reason for Development Appeal: (as per *The Planning and Development Act, 2007*, applicants have 5 days prior to the appeal hearing date to submit drawings and written materials)FARM SITE WITHIN CITY LIMITS. OWNER/CONSULTANT INDICATED INTENT TO  
KEEP YARD SITE FULLY GRANULAR ON DISCRETIONARY USE +  
PERMIT APPLICATION DWGS. NO HARD SURFACE PARKING EXISTS  
ON SITE. CITY NEVER COMMUNICATED ANY ISSUE W/ DESIGN INTENT  
FOR PARKING AREAS OF THIS UNIQUE PROJECT TO CONSULTANT  
OR OWNER AFTER ANY DISCRETIONARY USE OR PERMIT  
APPLICATION. PROJECT IS FARM SITE + TO HAVE SMALL ISLAND  
OF HARD SURFACE PARKING WITHIN SITE FULLY COVERED IN  
GRANULAR STRUCTURE IS NOT LOGICAL + WAS NEVER INTENDED.

BOTH SIDES OF THIS FORM MUST BE COMPLETED

ANY COMMENTS OR  
ISSUES THE ZONING OFFICER MAY HAVE HAD AT TIME OF PERMIT  
APPLICATION WERE NEVER COMMUNICATED IN WRITING TO THE  
CONSULTANT OR OWNER. PROJECT WAS SUBSTANTIALLY COMPLETE

RETURN TO DEVELOPMENT APPEALS BOARD, CITY CLERK'S OFFICE, 222 - 3rd AVENUE NORTH, SASKATOON, SK S7K 0J5 (306) 975-8002

IN MAY 2018. PLEASE REFER TO SUPPLEMENTAL INFO  
ATTACHED.



Community Standards  
222 3<sup>rd</sup> Avenue North  
Saskatoon SK S7K 0J5

www.saskatoon.ca  
tel. (306) 975-2645  
fax (306) 975-7712

November 1, 2019

SEPW Architecture Inc.  
102 - 3718 Kinnear Pl  
Saskatoon, SK S7P 0A6

Attention: Justin Wotherspoon

RE: Notice of Zoning Bylaw – Parking  
Civic Address – 410 Lowe Road  
Zoning District AG



Please consider this letter as a reminder notice for your obligation to fulfill the parking requirements for this site. A recent inspection of this site indicates that the required parking has not been developed according to the approved site plan. A copy of the plan is attached.

This letter is to advise that The Zoning Bylaw 8770,

Section 6.2(2)(a) and (e) states:

6.2(2)(a) All required parking and loading facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities, and be hard surfaced. Hard surfacing shall mean the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement capable of withstanding expected vehicle loads;

6.2(2)(e) All required parking and loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions, and shall conform to the following minimum dimensions:

↑ GRANULAR HAS BEEN DESIGNED FOR SUCH LOADS.

Type of Parking Space	Minimum Dimension
vi) parking spaces	2.7 by 6.0 metres

\* URGENT FIRST NOTING ANY ISSUE WITH  
NEW PARKING AREA ON GRANULAR STRUCTURE.  
(NOV. 1, 2019).

PROJECT WAS SUBMITTED FOR PERMIT  
IN 2017 + COMPLETED IN 2018. (MAY)

FINAL PARKING COUNT ON PERMIT  
DNCs IS BASED ON FLOOR AREA  
OF EXISTING BLDG + ADDITION.

This site is required to have three additional clearly demarcated parking spaces as shown on the approved plan.

TAKING INTO COUNT EXISTING  
PARKING STATUS ON THE SITE  
FOR THIS BLDG.

A follow-up inspection will be completed on June 9, 2020 to ensure progress is being made at this site. Failure to comply with this request may result in the issuance of an Order to Remedy Contravention of the provisions of the City of Saskatoon Zoning Bylaw No.8770 pursuant to Section 242(4) of the Planning and Development Act 2007.

Thank you in advance for your cooperation. Please contact me if you have any questions.

Regards,

**Dustin Fehr | tel 306.975.2320**  
Bylaw Inspector  
Community Services Department  
City of Saskatoon  
[dustin.fehr@saskatoon.ca](mailto:dustin.fehr@saskatoon.ca)



## Appeal 36-2019



NOTE INDICATES 'EXTENT OF NEW GRAMMAR STRUCTURE

**Justin Wotherspoon**

---

**From:** Justin Wotherspoon  
**Sent:** November 5, 2019 10:09 AM  
**To:** dustin.fehr@saskatoon.ca  
**Cc:** Paul Adekogbe  
**Subject:** Parking Stalls at 410 Lowe Road, Zoning District AG - S1516  
**Attachments:** AAFC Discretionary Use Approval 170426.pdf; Drawings - 170130.pdf  
**Importance:** High

\* SEPW RESPONSE TO CITY  
OF SASKATOON'S NOTICE  
OF NOV. 1, 2019.

Morning Dustin-

Further to our conversation this morning regarding your letter of Nov. 1, 2019, please find attached the Discretionary Use Approval and drawings submitted to the City for review and approval at that time (Jan. 30, 2017). From the drawings attached, and from the lack of conditions noted even at the time of approval of the Discretionary Use application, the drawings clearly show the intent to retain the granular (gravel) pavement structure around the building, and that the new parking stalls associated with the project (although in this early drawing they are shown on the south side of the building) were planned to be located on and be constructed from granular structure as well.

We trust that this information reveals the unique nature of this project, that there were no supplemental conditions to the approval of the expansion of this Farm Crop Services Building at the time the discretionary use was approved, and, when combined with the lack of communication from the City of Saskatoon Zoning officer regarding any deficiencies in the plan for parking associated with this project at the permit approval stage, that the requirement for paving the parking stalls and loading dock as per your letter of Nov. 1, 2019, will be rescinded.

Please note that this project was substantially completed in May of 2018.

Best regards,

Justin Wotherspoon, Principal

 **SEPW Architecture Inc.**  
102-3718 Kinnear Place, Saskatoon, SK S7P 0A6  
Ph. (306) [REDACTED] Fx. (306) [REDACTED]  
[REDACTED]  
[www.sepw.ca](http://www.sepw.ca)

Confidentiality Notice: This message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.



\* DISCRETIONARY USE APPROVAL  
APRIL 2017

Appeal 36-2019

Monty Reimer

**From:** Slaney, Marlee (Clerks) <Marlee.Slaney@Saskatoon.ca>  
**Sent:** Wednesday, April 26, 2017 12:20 PM  
**To:** [REDACTED]  
**Subject:** Discretionary Use Application - Agricultural Research Station - 410 Lowe Road

Dear Justin Wotherspoon:

**Re: Discretionary Use Application  
Agricultural Research Station - 410 Lowe Road  
(File No. CK. 4355-017-003)**

City Council, at its meeting held on April 24, 2017 held its hearing into your discretionary use application and adopted the following motion:

"That the application submitted by SEPW Architecture Inc., requesting permission to expand an existing agricultural research station at 410 Lowe Road, be approved, subject to the following conditions:

1. That the applicant obtain a Development Permit and all other relevant permits and licenses; and
2. That the final plans submitted be substantially in accordance with the plans submitted in support of this Discretionary Use Application."

↑ THEY WERE...

The following section of *The Planning and Development Act* sets out the appeal process regarding discretionary uses approved with prescribed development standards:

"58(1) If an application for a discretionary use has been approved by council with prescribed development standards or conditions pursuant to subsection 56(3) and the applicant is of the opinion that the development standards or conditions prescribed exceed those necessary to secure the objectives of the zoning bylaw, the applicant may, within 30 days after the effective date of council's approval, appeal the development standards or conditions prescribed with the approval of the discretionary use to the Development Appeals Board and from that board, if necessary, to the Saskatchewan Municipal Board in accordance with section 226.

(2) The council or any party to whom the Development Appeals Board gave notice pursuant to subsection 222(3) may appeal a decision of the Development Appeals Board to the Saskatchewan Municipal Board in accordance with section 226.

(3) In determining an appeal of the development standards or conditions prescribed for a discretionary use, the board hearing the appeal is subject to the requirements of section 221, with any necessary modification."

Should you wish to appeal Council's decision, please contact the Secretary of the Development Appeals Board, at (306) 975-8002.

Yours truly,

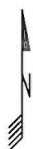
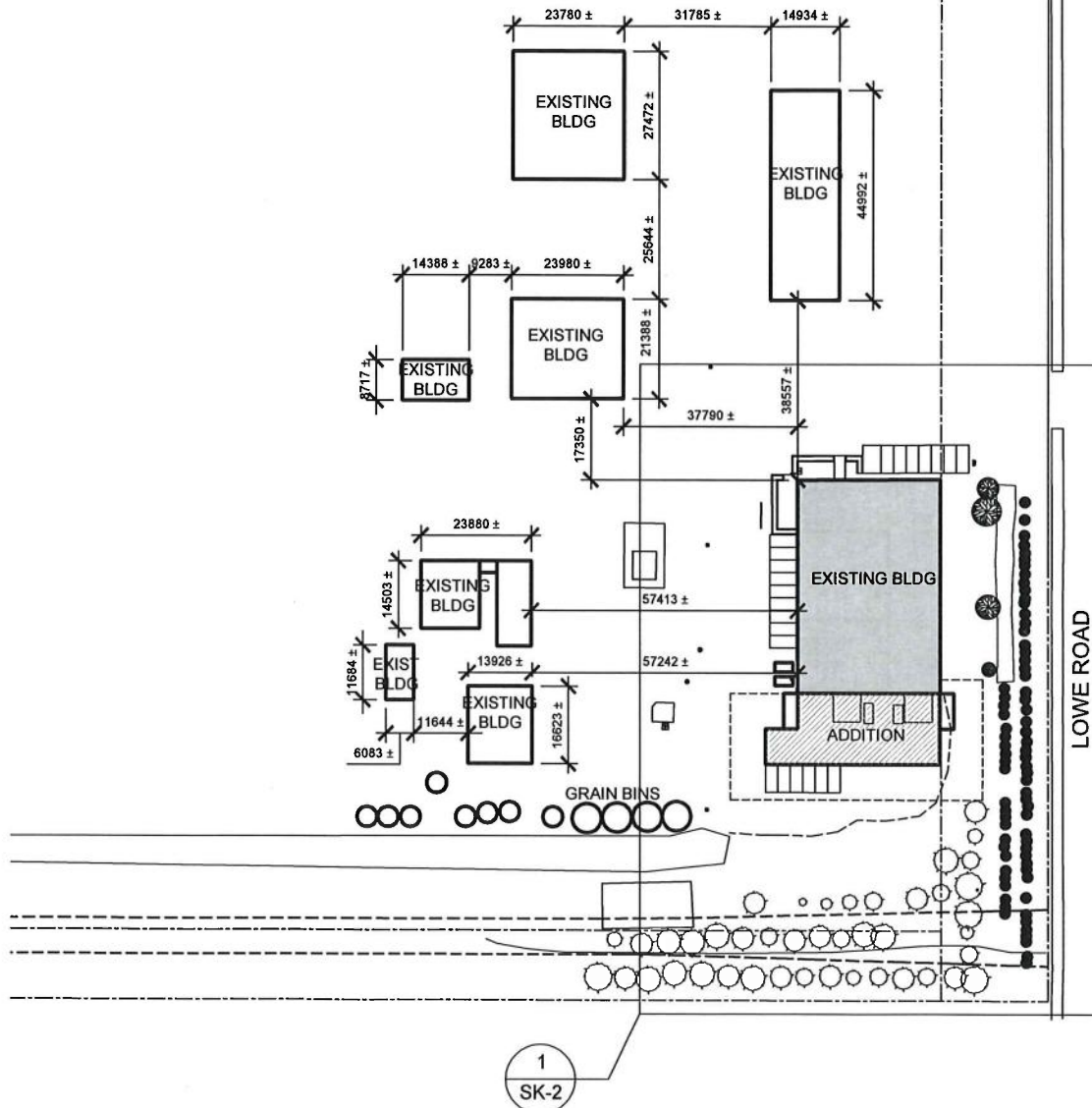
ms for/Joanne Sproule  
City Clerk

Marlee Slaney | tel 306.975.3241  
City Clerk's Office

City of Saskatoon | 222 3rd Avenue North | Saskatoon, SK S7K 0J5  
[marlee.slane@cityofsaskatoon.ca](mailto:marlee.slane@cityofsaskatoon.ca)  
[www.saskatoon.ca](http://www.saskatoon.ca)



\* DRAWINGS ATTACHED TO  
DISCRETIONARY USE APPLICATION IN 2017.  
APPROVAL WAS GRANTED BASED  
ON APPLICATION, HEARING AND  
THESE DRAWINGS.



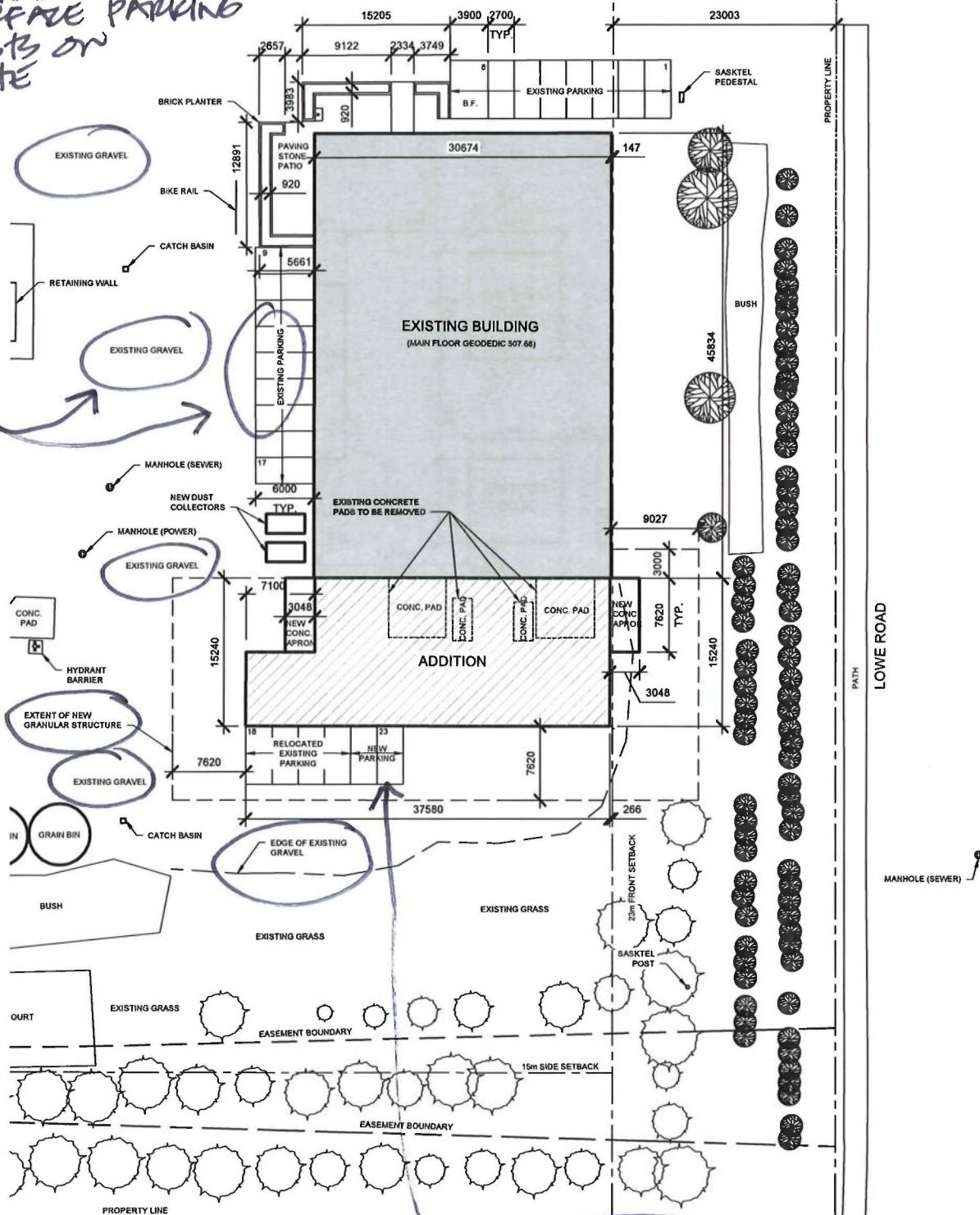
1  
SK-1  
LARGE SCALE SITE PLAN  
1:1000

PRELIMINARY  
NOT FOR CONSTRUCTION  
PLOTTED DATE: JANUARY 30, 2017

<b>SEP Architecture Inc.</b> <small>109 - 3725 Piquet Street, Regina, SK, S4S 6W8 ph (306) 559-2255  102 - 3718 Piquet Place, Saskatoon SK, S7P 0A6 ph (306) 652-6457  website: www.sep.ca</small>	<b>PROJECT TITLE</b> AAFC CROP SERVICES EXTENSION 410 LOWE ROAD SASKATOON SK		<b>DATE</b> 2017.01.30	<b>PROJECT NO.</b> S-15-2016
	<b>DRAWING TITLE</b> LARGE SCALE SITE PLAN		<b>SCALE</b> AS SHOWN	<b>DRAWING NO.</b> SK-1
			<b>DRAWN</b> MR	
			<b>CHECKED</b> JLW	

DISCRETIONARY USE APPLICATION SITE PLAN (2017)

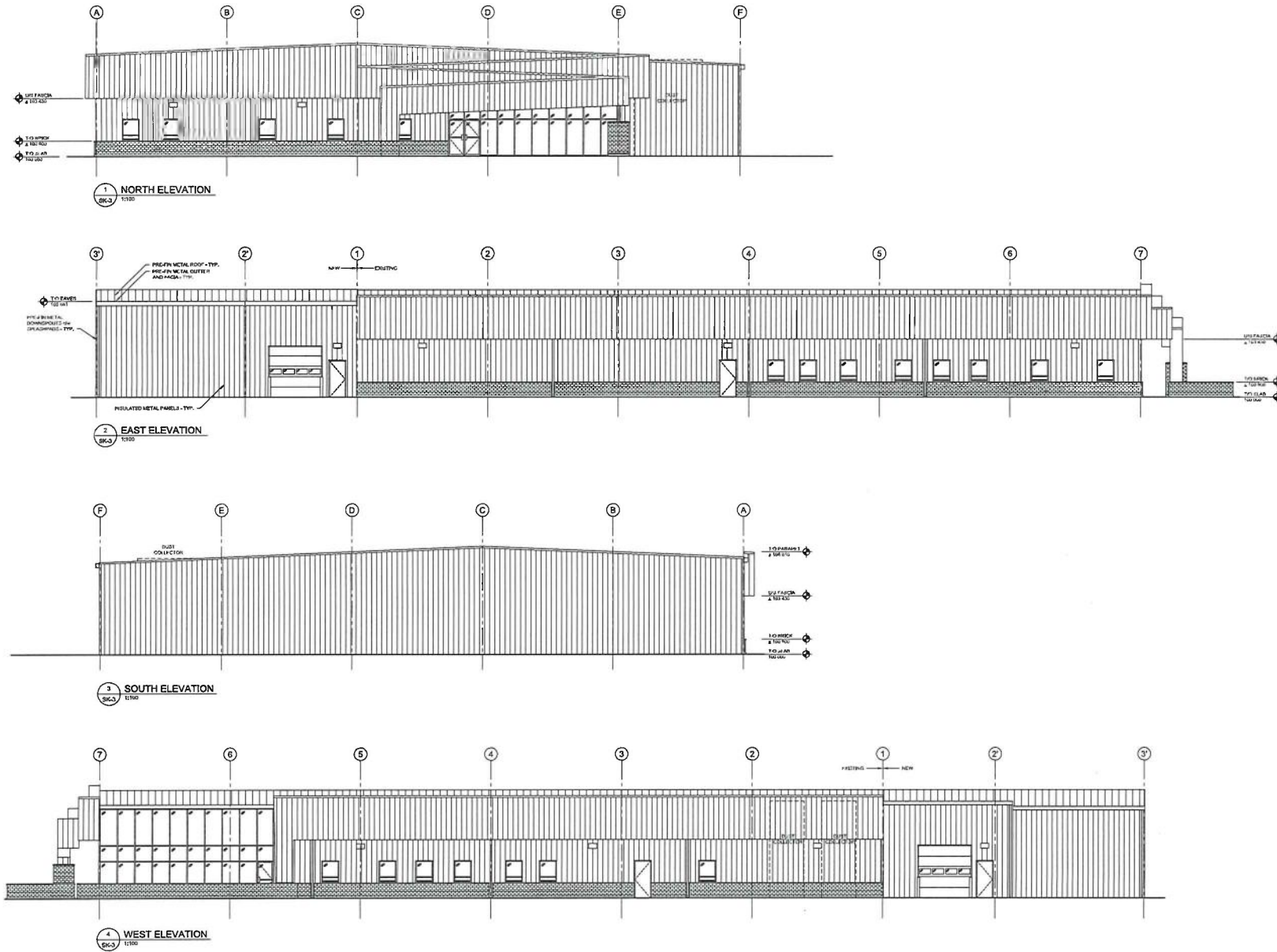
\* NO HARD SURFACE PARKING EXISTS ON SITE



1 SITE PLAN  
SK-2 1:400

NEW PARKING AREA IS CLEARLY SHOWN  
PRELIMINARY NOT FOR CONSTRUCTION  
PLOTTED DATE: JANUARY 30, 2017

<p><b>SEPA Architecture Inc.</b></p> <p>109 - 3725 Pasqua Street, Regina, SK, S4S 6W8 ph: (306) 569-2255              102 - 3718 Wynne Place, Saskatoon SK, S7P 0A6 ph: (306) 652-6457              website: www.sepa.ca</p>	<p>PROJECT TITLE AAFC CROP SERVICES EXTENSION 410 LOWE ROAD SASKATOON SK</p> <p>DRAWING TITLE SITE PLAN</p>	<p>DATE 2017.01.30</p> <p>SCALE AS SHOWN</p> <p>DRAWN MR</p> <p>CHECKED JLW</p>	<p>PROJECT NO. S-15-2016</p> <p>DRAWING NO. <b>SK-2</b></p>
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- NOTES**
1. DO NOT SCALE THIS DRAWING.
  2. VERIFY ALL DIMENSIONS, DATUMS, AND LEVELS PRIOR TO COMMENCEMENT OF WORK AND REPORT ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.
  3. VARIATIONS AND MODIFICATIONS TO WORK SHOWN IN THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
  4. ALL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST.
  5. COPYRIGHT FOR THIS DESIGN REMAINS WITH THE ARCHITECT.

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
PLOTTED DATE: JANUARY 10, 2017

NO YEAR/NO.DA REVISION BY  
CONSULTANT

**SEPW Architecture Inc.**

1041 - 3723 Pender Street, Regina, SK S4S 0A7 ph: (306) 844-2222  
1012 - 2718 Pender Street, Saskatoon, SK S7P 0A6 ph: (306) 433-4437  
www.sepw.ca

**PROJECT TITLE**  
AAFC CROP SERVICES EXTENSION  
419 LOWE ROAD  
SASKATOON, SK

**DRAWING TITLE**  
BUILDING ELEVATIONS

PROJECT NO. S-19-0118		DRAWING NO. <b>SK-3</b>	
DATE 2017.01.10	SCALE AS SHOWN	DRAWN MR	CHECKED JLW





Building Standards  
222 3<sup>rd</sup> Avenue North  
Saskatoon SK S7K 0J5

www.saskatoon.ca  
tel (306) 975-2645  
fax (306) 975-7712

October 3, 2017

Justin Wotherspoon  
SEPW Architecture Inc.  
3718 Kinnear Pl Suite 102  
Saskatoon SK S7P 0A6

\* LETTER RECEIVED FROM  
CITY INDICATING WHY  
FDN PERMIT APPLICATION  
COULD NOT BE APPROVED -  
NOTHING IS NOTED RE:  
PARKING CONCERNS.

Dear Sam Sidhu:

**Re: Building Permit Application – Addition to Warehouse (Foundation Only)**  
**AAFC Crop Services**  
**410 Lowe Road, Saskatoon (BPA-2595/17)**

Please be informed that your application for the above building permit cannot be approved for the following reasons:

- 1.1. Please have a design professional clarify the use of the new addition—detailing why the new addition was classified as a medium hazard industrial occupancy.

Facilities such as cereal mills, feed mills, flour mills and grain elevators are required to be designed as high hazard industrial (Group F, Division 1) facilities under Subsection 3.2.2 as indicated in Appendix Article A-3.1.2.1(1).

- 1.2. Please have a design professional confirm in writing that the full scope of the new addition has been designed in accordance to the 2015 NBC.

Please note, the City of Saskatoon is permitting design professionals to submit applications in conformance to the 2015 NBC (the 2010 NBC is the current edition adopted by the province of Saskatchewan).

- 1.3. Please confirm the construction value for the foundation phase only. The permit value will be based on the cost of this phase and not the full addition.

If further clarification of the above is required, please do not hesitate to call.

Regards,

**Kelten Comrie, P.Eng**  
Building Code Engineer, Building Standards Division  
Ph: (306) 975-8339 Fax: (306) 975-7712  
Email: [kelten.comrie@saskatoon.ca](mailto:kelten.comrie@saskatoon.ca)

c. Paul Adekogbe – Public Works & Government Services Canada – Regina, SK



\* FOUNDATION PERMIT  
APPROVAL - NO LETTER  
WAS EVER ATTACHED

Appeal 36-2019

Oct. 2017

Monty Reimer

**From:** Comrie, Kelten (CY - Building Standards) <Kelten.Comrie@Saskatoon.ca>  
**Sent:** Friday, October 6, 2017 10:30 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 410 Lowe Rd - Addition to Warehouse - (AAFC Crop Services) (Foundation Only)

Good morning,

Please see the attached letter in regards to the above building address. Your building permit application has been approved and is now ready for pick up and payment. If you have not provided contractor information and/or construction value please call 306.975.7639.

\* I decided that the written use of the building can wait for the shell/final phase. I am comfortable approving the foundation application with the information that has been provided over the phone by yourself and Paul Adekogbe. This will get you going on the foundation and give us time to sort out the next application.

Please let me know if you have any questions.

Have a great weekend,

**Kelten Comrie, P.Eng | tel 306.975.8339**  
Building Code Engineer  
Building Standards  
City of Saskatoon | 222 3rd Avenue North | Saskatoon, SK S7K 0J5  
[kelten.comrie@saskatoon.ca](mailto:kelten.comrie@saskatoon.ca)  
[www.saskatoon.ca/go/buildingstandards](http://www.saskatoon.ca/go/buildingstandards)

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Building Standards  
222 3<sup>rd</sup> Avenue North  
Saskatoon SK, S7K 0J5

www.saskatoon.ca  
tel (306) 975-2645  
fax (306) 975-7712

November 20, 2017

THIS IS NOT A BUILDING AND  
DEVELOPMENT PERMIT

Justin Wotherspoon  
SEPW Architecture Inc.  
3718 Kinneer Pl Suite 102  
Saskatoon SK S7P 0A6

\* LETTER RECEIVED RE:  
CONDITIONS OF SHELL/FINAL  
PERMIT APPLICATION. NO  
CONCERNS W/ PARKING  
ISSUES ARE RAISED.

Dear Justin Wotherspoon:

**Re: Building Permit Application – New Warehouse (Shell and Final)  
AAFC Crop Services  
410 Lowe Road, Saskatoon (BPA-3162/17)**

The above referenced building is classified as a medium hazard industrial (Group F, Division 2) occupancy under Article 3.2.2.79 of the 2010 National Building Code (NBC). The applicable codes and regulations for this project are the Uniform Building and Accessibility Standards Act (UBASA) - 2017 Regulations and the 2010 National Building Code (NBC) with amendments made by the UBASA Regulations. All articles quoted are from the 2010 NBC.

**The building permit is approved subject to the following conditions and other requirements that may be determined during the building inspection process:**

- 1.1. Please ensure a guard rail that is at least 1070mm high is provided on the new service platform stair as per Article 3.3.1.18.
- 1.2. Door hardware on exit and egress doors shall permit the door to be readily opened from the inside with not more than one releasing operation and without requiring keys, special devices or specialized knowledge of the door opening mechanism as per Articles 3.4.6.15 and 3.3.1.13.
- 1.3. Flame spread rating of finishes have not been approved or accepted as part of this permit approval. It is the owner's responsibility to ensure that the flame spread rating and smoke developed classification requirements of the National Building Code are met in this regard.
- 1.4. Please note there has been no review or approval of the plumbing installation. The plumbing contractor is responsible for permitting the project and facilitating inspection and testing. The Saskatchewan Plumbing and Drainage Regulations shall apply.

**The following information must be submitted to the writer's attention no later than December 15, 2017, otherwise a Stop Work Order may be issued:**

- 2.1. Two hard copies of sprinkler shop drawings and hydraulic calculations designed to NFPA 13 shall be submitted for review prior to the installation of the sprinkler system. All drawings and calculations shall be signed and sealed by a design professional licensed to practice in the province of Saskatchewan.

**The following information must be submitted prior to occupancy:**


- 3.1 Verification that the fire alarm system has been installed in conformance with CAN/ULC-S524 and tested in conformance with CAN/ULC-S537 as per Article 3.2.4.5.

3.2 Verification that the sprinkler system has been designed, constructed, installed, and tested in accordance with NFPA 13 as per Article 3.2.5.12.

Please note that neither the issuance of a building permit, nor the inspections made by the authority having jurisdiction, shall relieve the owner of the building from full responsibility for carrying out the construction or having the construction carried out in accordance with the requirements of the Uniform Building and Accessibility Standards Act, the City of Saskatoon Building Bylaw or other bylaws and regulations.

The Building Permit may be issued and picked up upon payment of the permit fee. Please note that construction is not to begin until the permit has been issued.

Regards,



**Kelten Comrie, P.Eng**  
Building Code Engineer, Building Standards Division  
Ph: (306) 975-8339 Fax: (306) 975-7712  
Email: [kelten.comrie@saskatoon.ca](mailto:kelten.comrie@saskatoon.ca)

c. Paul Adekogbe – Public Works & Government Services Canada – Regina, SK

Community Standards  
222 3<sup>rd</sup> Avenue North  
Saskatoon SK S7K 0J5

www.saskatoon.ca  
tel (306) 975-2645  
fax (306) 975-7712

## ORDER TO REMEDY CONTRAVENTION

### *THE PLANNING AND DEVELOPMENT ACT, 2007*

### CITY OF SASKATOON ZONING BYLAW NO. 8770

SRDC  
107 Science Place  
Saskatoon, SK S7N 0X2

ATTN: Carla Davies

☒ Owner

#### Part 1

I, Dustin Fehr, Development Officer for The City of Saskatoon, inspected:

Civic Address: 410 Lowe Road  
Surface Parcel: 119028607  
Zoning District: AG

on Monday, September 26, 2019.

#### Part 2

Section 4.2(1) of The City of Saskatoon Zoning Bylaw No. 8770 states that no person shall erect, construct, locate, alter, reconstruct or maintain any building or structure, or locate or carry on any industry, business, trade or calling, or use any land or building, within any district, except as permitted by this Bylaw, and subject to all the regulations contained in this Bylaw.

Section 4.3.1(1) of the City of Saskatoon Zoning Bylaw No. 8770 states, except as specifically exempted by this Bylaw, no person shall undertake a permitted or discretionary form of development or commence a permitted or discretionary use without having first obtained a development permit. A building permit or sign permit is not valid unless a subsisting development permit, where such permit is required by this Bylaw, has been issued and remains valid.



### **Part 3**

Section 242(4) of *The Planning and Development Act, 2007* states that if a Development Officer determines that a development or form of development contravenes the Zoning Bylaw, the Development Officer may issue a written order to the owner, occupant or operator of the land, building or premises on or in which the development or form of development is located to remedy the contravention.

### **Part 4**

As a result of my inspection, I have determined that there are contraventions of Zoning Bylaw No. 8770. You are hereby ordered to remedy the contravention as follows:

#### **Contravention:**

1. The property, 410 Lowe Road has not been developed with the required hard surface parking area as per the approved site plan received on September 7, 2017, which is attached as Appendix A and forms part of this Order.

#### **You are hereby ordered to:**

1. On or before June 3, 2020, develop the parking area in accordance with Section 6.2.2(a) of the Zoning Bylaw No. 8770. Three additional off-street hard surface parking spaces are required.

#### **Relevant Sections of the Zoning Bylaw No 8770:**

- 4.2(1) – Application of Regulations; 4.3.1(1) – Development Permit Required; 12.1 AG – Agricultural District; 6.2 – General Regulations for Parking, Loading and Vehicular Circulation Provisions and 2.0 – Definitions – “development”, “development officer”, “development permit”, “parking space”, of the Zoning Bylaw No. 8770.

### **Part 5**

It is an offence to fail to comply with an Order made pursuant to Section 243 of *The Planning and Development Act, 2007*. Upon conviction, an individual is liable to a fine of not more than \$10,000.00, and in the case of a continuing offence, to an additional fine of not more than \$2,500.00 for each day during which the offence continues. Upon conviction, a corporation is liable to a fine of not more than \$25,000.00, and in the case of a continuing offence, to an additional fine of not more than \$2,500.00 for each day during which the offence continues.

**Part 6**

If you feel aggrieved by this Order, you have the right to appeal to the Development Appeals Board. If you wish to appeal, you must file the attached Notice of Appeal within 30 days of the date of the issuance of the Order. The Notice of Appeal must be filed with:

**Secretary, Development Appeals Board  
c/o City Clerks Office  
City Hall  
222 - 3rd Avenue North  
Saskatoon, Saskatchewan  
S7K 0J5**

(note: \$50.00 must accompany the Notice of Appeal).

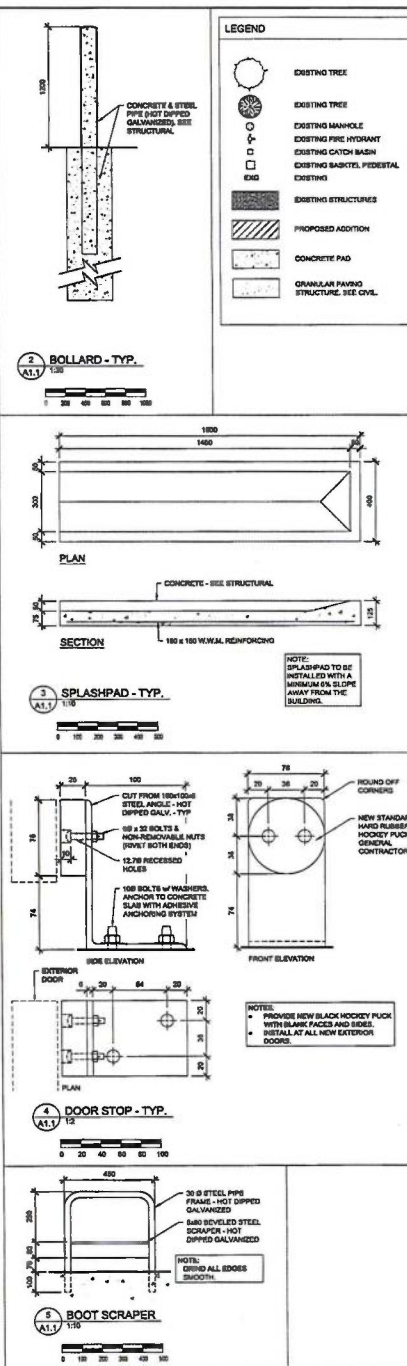
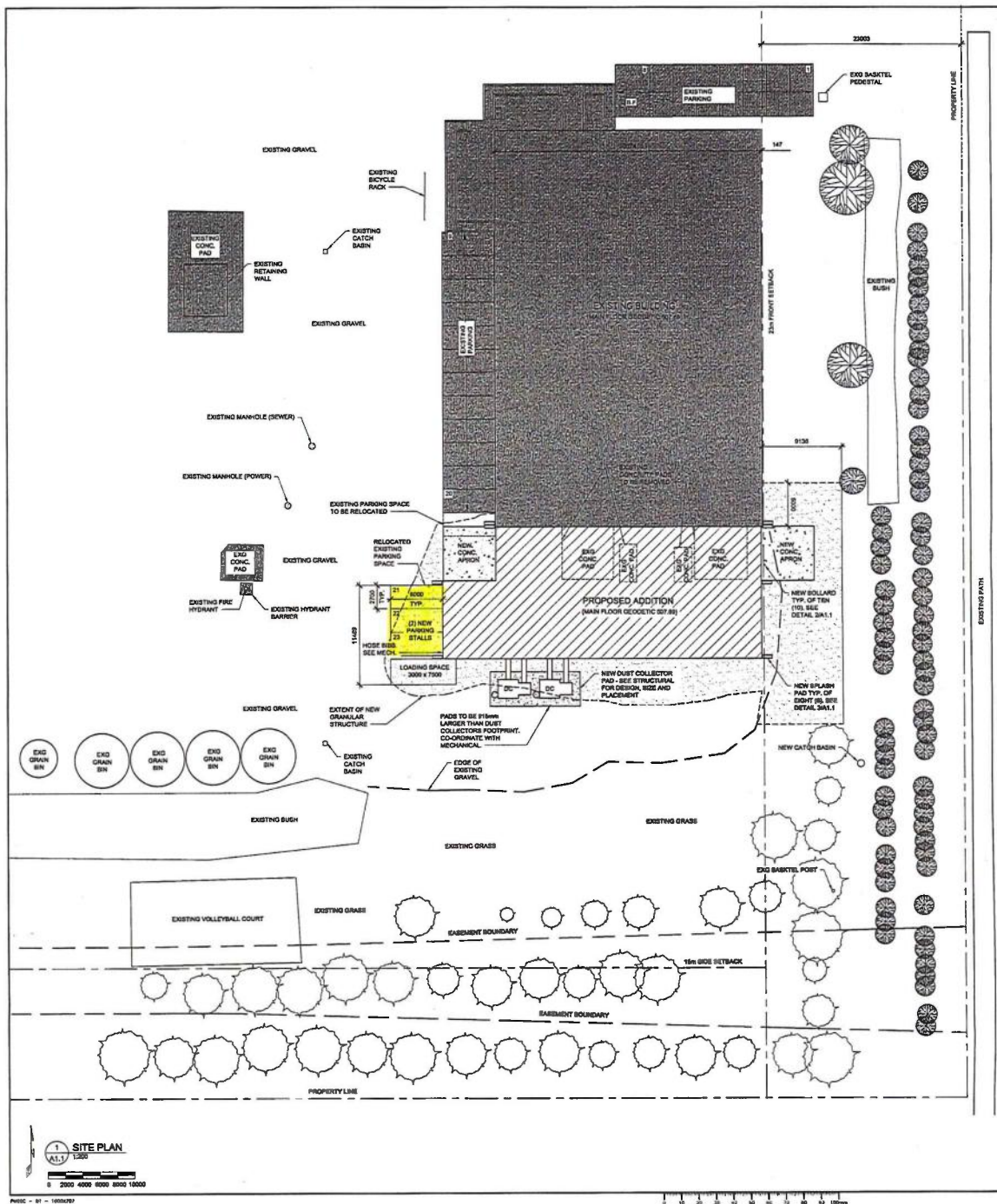
Find attached for your information a copy of Section 219 of *The Planning and Development Act, 2007*, which outlines your right of appeal.




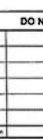
Dated this 22<sup>nd</sup> day of November, 2019.

  
Development Officer

Attachments: Notice of Appeal  
Appeals procedure

cc: Maryna Kostovska, Solicitors  
City Clerks, Development Appeal Board Secretary



 <p><b>Public Works and Government Services Canada</b></p>	<p><b>Travaux publics et Services gouvernementaux Canada</b></p>	
<p><b>REAL PROPERTY SERVICES</b> Western Region <b>SERVICES IMMOBILIERS</b> Région de l'Ouest</p>		
<div style="display: flex; align-items: center; justify-content: center;">  <div style="margin-left: 10px;"> <p><b>SEPW Architecture Inc.</b></p> <p>100-2000 44th Avenue, Regina, S4S 0Y6 100-2000 44th Avenue, Regina, S4S 0Y6</p> </div> </div>		
 <p style="margin-top: 10px;"><i>Sept. 7/77</i></p>		
		
<p><b>DO NOT SCALE DRAWINGS</b></p>		
6		
5		
4		
3		
2		
1		
0	METERS-HOT TENSORS	(00111)
Project	Generalization	Date
<p><b>PUBLIC SERVICES AND PROCUREMENT CANADA</b></p>		
<p>Project: _____</p>		
<p><b>SASKATCHEWAN RESEARCH CENTRE</b> 418 LOWE ROAD SASKATOON, SASKATCHEWAN <b>AAFC SASKATOON FARM SITE BUILDING 1</b></p>		
Designed by: AJM	Completed:	
Drawn by: BMR	Issued:	
Approved by: AJM	Approved:	
PROJECT: Project Manager: PAUL AXENDORF	Administrative: In Progress:	
Drawing Size:	Scale: 1:1	
<p><b>SITE PLAN SITE DETAILS</b></p>		
<p>Project no./No. du projet: <b>R.078662.002</b></p>		
<p>Drawing no./No. du dessin: <b>A1.1</b></p>		
<p>Sheet: <b>0</b></p>		





## DEVELOPMENT APPEAL - LOCATION PLAN

ADDRESS: 410 Lowe Road

LOT:

BLOCK:

PLAN:

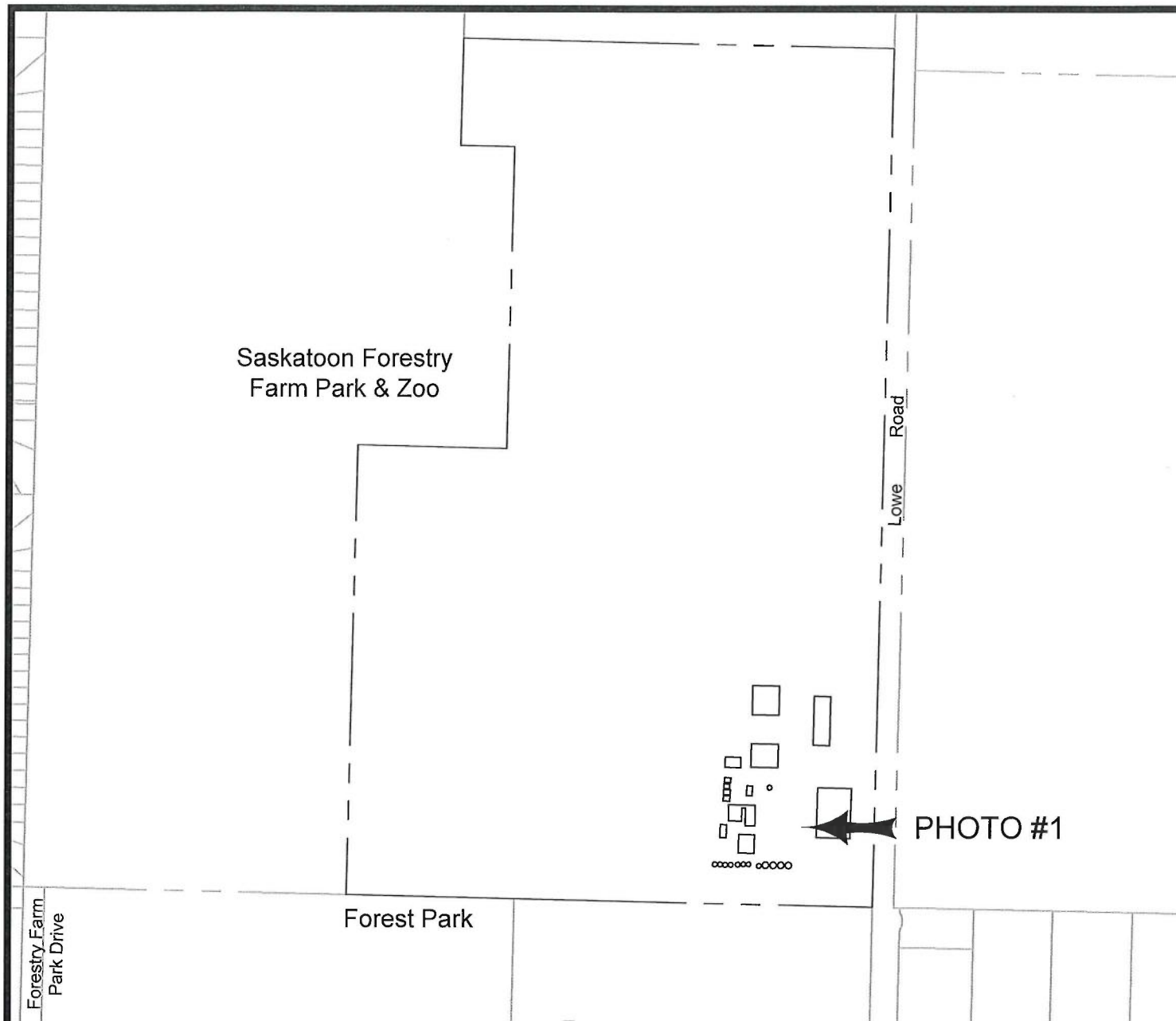


**RECEIVED**

DEC 10 2019

CITY CLERK'S OFFICE  
SASKATOON





Proposed: A total of three hard-surfaced off-street parking spaces have been provided.

Required: This development requires a total of six hard-surfaced off-street parking spaces.

Resulting: This results in a deficiency of three hard-surfaced off-street parking spaces.

## DEVELOPMENT APPEAL - SITE PLAN

ADDRESS: 410 Lowe Road

LOT:

BLOCK:

PLAN:



PHOTO 1



PHOTO 2



2017 AERIAL PHOTOGRAPHY



November 27, 2019

Dear Neighbouring Property Owner:

**Re: NOTICE OF HEARING – DEVELOPMENT APPEALS BOARD  
Order to Remedy Contravention – 410 Lowe Road  
[Appeal No. 36-2019]**



As a neighbouring property owner of the above property **you are hereby notified that** SEPW Architecture Inc. has filed an appeal under section 219(1)(b) of *The Planning and Development Act, 2007*, in connection with the City's Order to Remedy Contravention requiring hard surface parking as per the September 7, 2017 approved site plan. The Board is required by law to send a notice in order to give the neighbouring property owners opportunity to register their comments in writing regarding the bylaw deficiencies for this property.

The property is zoned **AG** under *Zoning Bylaw No. 8770* and the appellant is appealing the following deficiencies:

Requirement: Section 6.2.2 states required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design development and maintenance standards:

- a) All required parking and loading facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities and be hard surfaced. Hard surfacing shall mean the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement capable of withstanding expected vehicle loads.

Proposed: The property, 410 Lowe Road has not been developed with the required hard surface parking area as per the approved site plan received on September 7, 2017.

Deficiency: Three additional off-street hard surface parking spaces are required.

**The Appellant is seeking the Board's approval for a development permit as proposed.**

The Development Appeals Board will hear the appeal:

**Date and Time:** Tuesday, December 17, 2019, at 4:00 p.m.

**Location:** Committee Room E, Ground Floor, South Wing, City Hall  
(Enter through door #1 or #1A at 4<sup>th</sup> Avenue North)

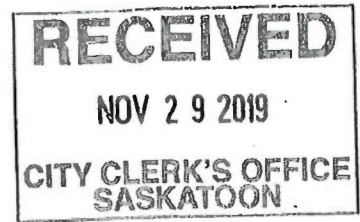
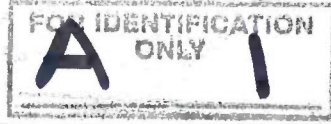
Anyone wishing to obtain further information or view the file on this matter can contact the Secretary at (306) 975-2780.

If you wish to provide written comments regarding this matter you are required to submit a letter including your name and full address to the Secretary, Development Appeals Board, City Clerk's Office, City Hall, Saskatoon, Saskatchewan, S7K 0J5 or email [development.appeals.board@saskatoon.ca](mailto:development.appeals.board@saskatoon.ca). Please note

Development Appeals Board  
Appeal 1998-

that your letter and written comments are a public document and will be provided to the parties of the appeal in advance of the hearing.

**Penny Walter, Secretary**  
Development Appeals Board



In the Matter of Zoning Bylaw No. 8770

And

*The Planning and Development Act, 2007*

To: Secretary, Development Appeals Board  
c/o City Clerk's Office  
222 3<sup>rd</sup> Avenue North  
Saskatoon, SK S7K 0J5

**NOTICE OF APPEAL OF  
ORDER TO REMEDY CONTRAVENTION**

I, EVERMORE HOMES INC., ROGER BELL, TAMARA BELL  
(Appellant's name in full)  
Of [REDACTED] SK [REDACTED]  
(Appellant's address)

hereby appeal the order of the Development Officer dated 2019-10-30  
regarding the property at 312 ARTHUR AVENUE  
Issued pursuant to Section 242 of *The Planning and Development Act, 2007*.  
I have attached a copy of the Order to this Notice of Appeal.

The reasons in support of my appeal are:

- ① ALTERNATE HARD SURFACE PARKING HAS BEEN PROVIDED
- ② SITE GRADE AT BACK YARD MAKES GARAGE/PAD FOUNDATION CONSTRUCTION DIFFICULT AND COST PROHIBITIVE
- ③ PROVISION OF PARKING AT REAR OF PROPERTY REQUIRES REMOVAL OF TWO LARGE (BEAUTIFUL) TREES



The following documents are filed in support of my appeal:

- PHOTOS OF INSTALLED HARD SURFACE PARKING
- PHOTOS OF TREES
- PHOTOS OF SITE GRADE DIFFICULTIES

Dated at the City of Saskatoon, in the Province of Saskatchewan, this 29<sup>TH</sup> day of NOVEMBER, 2019

\*Please Print or Type:

Name: ROGER BELL, EVERMORE HOMES

Mailing Address: \_\_\_\_\_

SK

Telephone Number: \_\_\_\_\_

Please note the following:

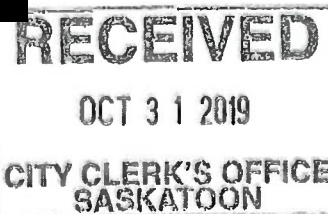
THE APPEAL MUST BE MADE WITHIN 30 DAYS OF THE DATE OF THE ISSUANCE OF THE ORDER OF A DEVELOPMENT OFFICER BY FILING THIS WRITTEN NOTICE OF APPEAL ON THE DEVELOPMENT APPEALS BOARD AT THE FOLLOWING ADDRESS:

Secretary, Development Appeals Board  
c/o City Clerk's Office  
222 3<sup>rd</sup> Avenue North  
Saskatoon, SK S7K 0J5

Community Standards  
222 3<sup>rd</sup> Avenue North  
Saskatoon SK S7K 0J5www.saskatoon.ca  
tel (306) 975-2645  
fax (306) 975-7712**ORDER TO REMEDY CONTRAVENTION***THE PLANNING AND DEVELOPMENT ACT, 2007***CITY OF SASKATOON ZONING BYLAW NO. 8770**Evermore Homes Inc.  
Attn: Tamara Bell[REDACTED]  
[REDACTED] SK

Roger Bell

[REDACTED] SK

☒ Registered Office(s)☒ Director(s)**Part 1**

I, Elaine Sutherland, Development Officer for The City of Saskatoon, inspected:

Civic Address: 312 Arthur Avenue  
Surface Parcel: 136213950 and 120155701  
Zoning District: R2

on Thursday, October 17, 2019.

**Part 2**

Section 4.2(1) of The City of Saskatoon Zoning Bylaw No. 8770 states that no person shall erect, construct, locate, alter, reconstruct or maintain any building or structure, or locate or carry on any industry, business, trade or calling, or use any land or building, within any district, except as permitted by this Bylaw, and subject to all the regulations contained in this Bylaw.

Section 4.3.1(1) of the City of Saskatoon Zoning Bylaw No. 8770 states, except as specifically exempted by this Bylaw, no person shall undertake a permitted or discretionary form of development or commence a permitted or discretionary use without having first obtained a development permit. A building permit or sign permit is not valid

unless a subsisting development permit, where such permit is required by this Bylaw, has been issued and remains valid.

### **Part 3**

Section 242(4) of *The Planning and Development Act, 2007* states that if a Development Officer determines that a development or form of development contravenes the Zoning Bylaw, the Development Officer may issue a written order to the owner, occupant or operator of the land, building or premises on or in which the development or form of development is located to remedy the contravention.

### **Part 4**

As a result of my inspection, I have determined that there are contraventions of Zoning Bylaw No. 8770. You are hereby ordered to remedy the contravention as follows:

#### **Contravention:**

1. The property, 312 Arthur Avenue has not been developed with the required hard surfaced parking area as per the approved site plan dated June 8, 2017, which is attached as Appendix A and forms part of this Order.

#### **You are hereby ordered to:**

1. On or before May 29, 2020, develop the parking area in accordance with Section 5.30(h) and Section 6.2.2(a) of the Zoning Bylaw No. 8770. One off-street hard surfaced parking space is required for the secondary suite in addition to at least one off-street hard surfaced parking space for the principal dwelling.

#### **Relevant Sections of the Zoning Bylaw No 8770:**

4.2(1) – Application of Regulations; 4.3.1(1) – Development Permit Required; 8.4 R2 – One and Two-Unit Residential District; 6.2 – General Regulations for Parking, Loading and Vehicular Circulation Provisions; 5.30 – Secondary Suites and 2.0 – Definitions – “development”, “development officer”, “development permit”, “secondary suite”, “parking space”, of the Zoning Bylaw No. 8770.



**Part 5**

It is an offence to fail to comply with an Order made pursuant to Section 243 of *The Planning and Development Act, 2007*. Upon conviction, an individual is liable to a fine of not more than \$10,000.00, and in the case of a continuing offence, to an additional fine of not more than \$2,500.00 for each day during which the offence continues. Upon conviction, a corporation is liable to a fine of not more than \$25,000.00, and in the case of a continuing offence, to an additional fine of not more than \$2,500.00 for each day during which the offence continues.

**Part 6**


If you feel aggrieved by this Order, you have the right to appeal to the Development Appeals Board. If you wish to appeal, you must file the attached Notice of Appeal within 30 days of the date of the issuance of the Order. The Notice of Appeal must be filed with:

**Secretary, Development Appeals Board  
c/o City Clerks Office  
City Hall  
222 - 3rd Avenue North  
Saskatoon, Saskatchewan  
S7K 0J5**

(note: \$50.00 must accompany the Notice of Appeal).

Find attached for your information a copy of Section 219 of *The Planning and Development Act, 2007*, which outlines your right of appeal.

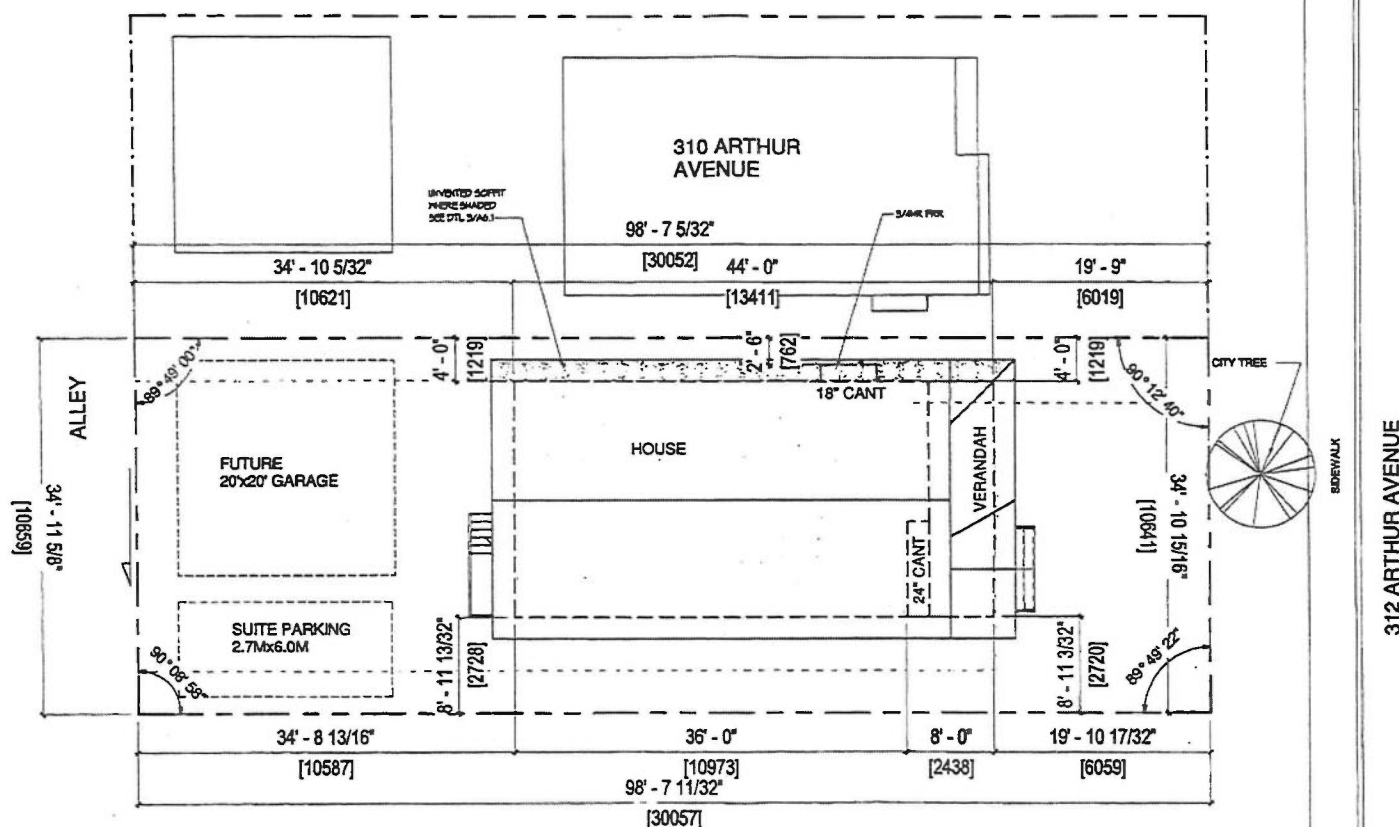
Dated this 30<sup>th</sup> day of October, 2019.

  
Development Officer

Attachments: Notice of Appeal  
Appeals procedure

cc: Maryna Kostovska, Solicitors  
City Clerks, Development Appeal Board Secretary

## APPENDIX A



1 SITE PLAN  
3/32" = 1'-0"

## LEGAL DESCRIPTION:

LOT: 22&35  
BLOCK: 2  
PLAN NO: 101434283  
ZONING: R2  
CIVIC ADDRESS: 312 ARTHUR AVE

## NOTE:

- SURVEYOR TO CONFIRM SIZE AND SHAPE OF LOT PRIOR TO CONSTRUCTION.  
- SURVEYOR TO CONFIRM SIZE AND LOCATION OF ALL EASEMENTS, IF ANY.

- IF PROJECT IS LOCATED IN AN ESTABLISHED NEIGHBOURHOOD CONTRACTOR TO PROVIDE A SITE SECURITY FENCE AT TIME OF EXCAVATION

- IT IS THE RESPONSIBILITY OF THE BUILDING PERMIT APPLICANT TO ENSURE THAT THE PROPOSED STRUCTURE WILL NOT ENDOURCH ON ANY ELECTRICAL, GAS LINE OR OTHER ASSESSMENTS REGISTERED AGAINST THE PROPERTY IN QUESTIONS.  
- THE LOCATION OF THE ELECTRICAL LINES OR GAS LINES MAY BE LOCATED BY CONTACTING SASKPOWER OR SASKENERGY

RECEIVED

JUN 08 2017

CITY OF SASKATOON  
Building Standards -  
Residential

Professional architectural design / drafting  
(306) 373-3805

THIS DRAWING AND THE IDEAS CONTAINED WITHIN REMAIN THE PROPERTY OF CADVENTAGE DESIGN LTD. AND CAN NOT BE COPIED OR REPRODUCED WHATSOEVER WITHOUT THE CONSENT OF CADVENTAGE DESIGN LTD.

VIOLATORS WILL BE PROSECUTED.

CLIENT: SPEC HOUSE

PROJECT ADDRESS:  
312 ARTHUR AVENUE  
SASKATOON, SK  
[VARSITY VIEW]

DATE: 06 JUNE 2017

## Revision Schedule

NO.	REVISION	DATE
1	31MAY16 PRELIM ISSUED	IS
2	31MAY16 REVISED	IS
3	08JUN16 REVISED PRELIM	IS
4	08JUN16 REVISED PRELIM	IS
5	31MAY17 CHECKSET ISSUED FOR COMMENT	IS
6	02JUN17 REVISED CHECKSET	IS
7	02JUN17 FINAL DWG ISSUED	IS

## GENERAL CONTRACTOR:

**EH**  
EVERMORE  
H.O.M.E.S

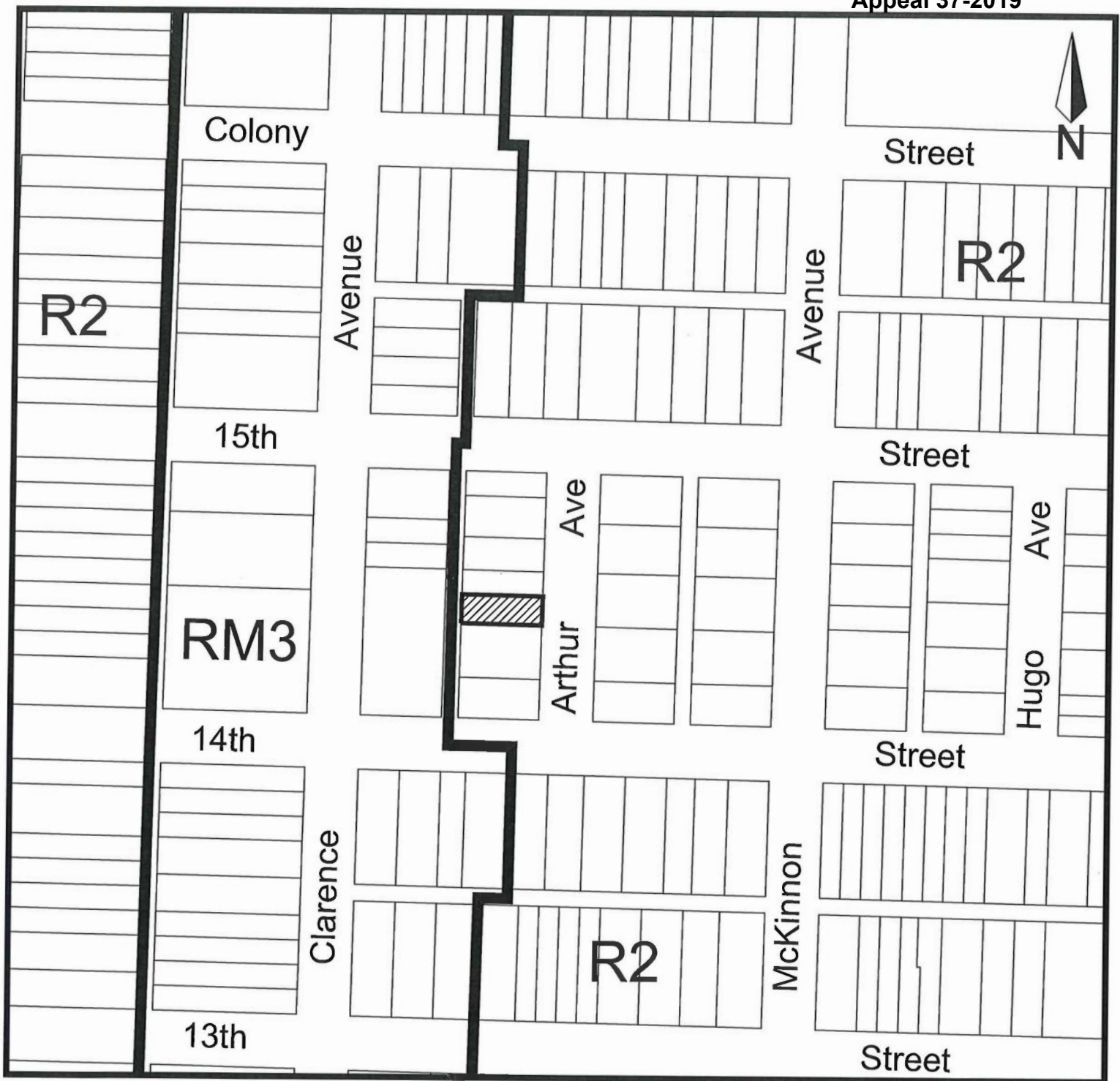
**BAEUMLER**  
ARCHITECTS  
71 HOUSE

DRAWN BY: KELLY

CADVENTAGE Reference Number:  
17077CD

DRAWING TITLE:  
SITE PLAN

DRAWING NO:  
**A-2.1**



## DEVELOPMENT APPEAL - LOCATION PLAN

ADDRESS: 312 Arthur Avenue

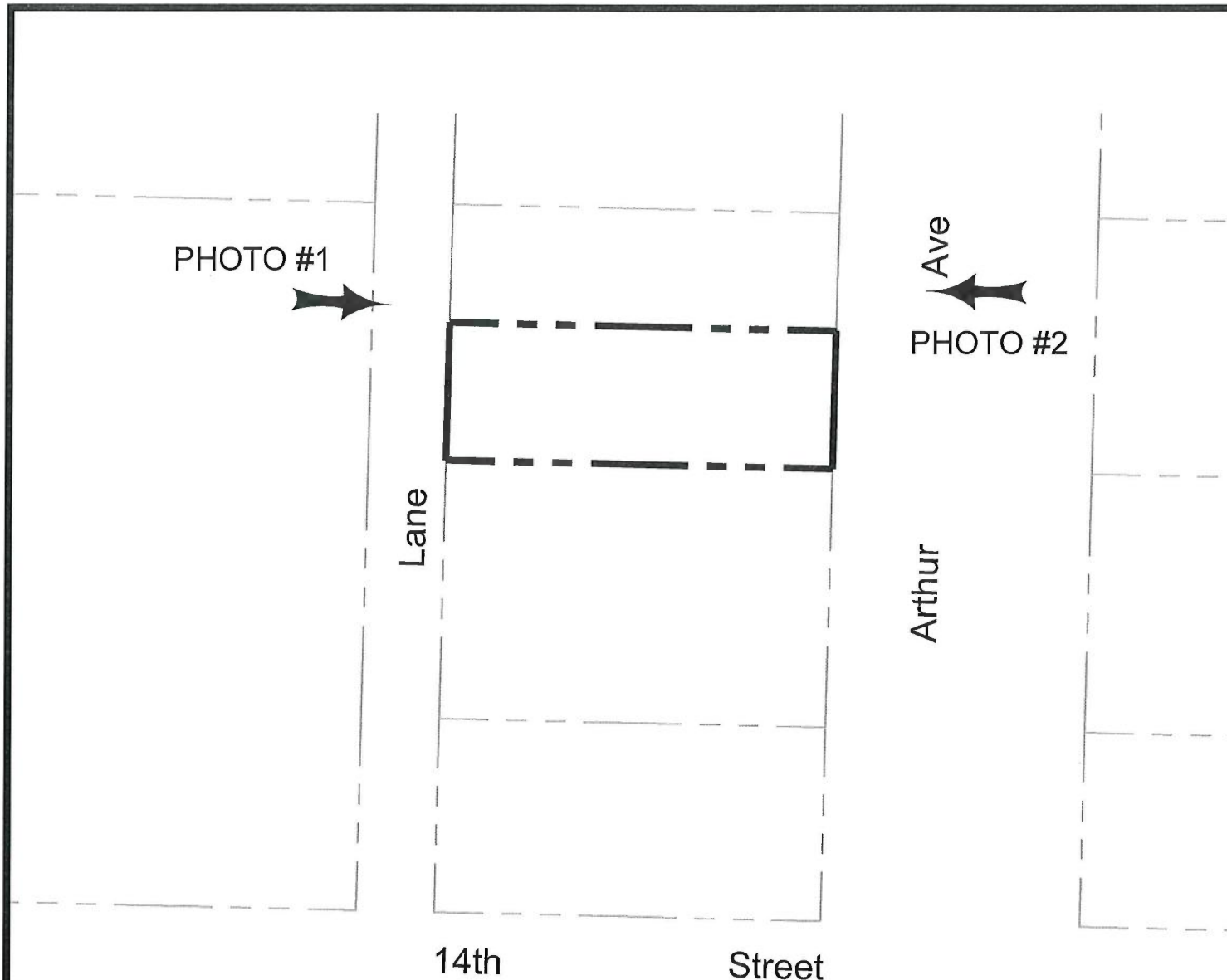
LOT: 22 & 35

BLOCK: 2

PLAN: F5527 & 101434283







Proposed: No hard-surfaced off-street parking spaces have been provided in the rear yard.

Required: This development requires a total of two hard-surfaced off-street parking spaces in the rear yard.

Resulting: This results in a deficiency of two hard surfaced off-street parking spaces.

## DEVELOPMENT APPEAL - SITE PLAN

ADDRESS: 312 Arthur Avenue

LOT: 22 & 35

BLOCK: 2

PLAN: F5527 & 10143483



PHOTO 1



PHOTO 2



2017 AERIAL PHOTOGRAPHY





## Appeal 37-2019

Development Appeals Board  
c/o Office of the City Clerk  
222 – 3<sup>rd</sup> Avenue North  
Saskatoon SK S7K 0J5



www.saskatoon.ca  
tel (306) 975-3240  
fax (306) 975-2784

December 2, 2019

Dear Neighbouring Property Owner:

**Re: NOTICE OF HEARING – DEVELOPMENT APPEALS BOARD  
Development Permit Denial – 312 Arthur Avenue  
[Appeal No. 37-2019]**

As a neighbouring property owner of the above property you are hereby notified that **Evermore Homes Inc.** has filed an appeal under section 219(1)(b) of *The Planning and Development Act, 2007*, in connection with the City's Order to Remedy Contravention regarding **the provision of hard surface parking as per the approved June 8, 2017 site plan**. The Board is required by law to send a notice in order to give the neighbouring property owners opportunity to register their comments in writing regarding the bylaw deficiencies for this property.

The property is zoned **R2** under *Zoning Bylaw No. 8770* and the appellant is appealing the following deficiencies:

Requirement: Section 5.30(1)(h) states secondary suites shall conform to the following regulations one-off street parking space is required for a secondary suite in addition to at least one off-street parking space for the principal dwelling. The parking space for the principal dwelling may be located in a required front yard. The parking space required for the secondary suite shall not be located in a required front yard unless the subject site has no access to a rear lane, and shall be paved, sited and screened to the satisfaction of the Development Officer.

Section 6.2.2 states required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design development and maintenance standards:

- a) All required parking and loading facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities and be hard surfaced. Hard surfacing shall mean the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement capable of withstanding expected vehicle loads.

Proposed: The property, 312 Arthur Avenue has not been developed with the required hard surfaced parking area as per the approved site plan dated June 8, 2017.

Deficiency: One off-street hard surfaced parking space is required for the secondary suite and at least one off-street hard surfaced parking space is required for the principal dwelling.

**The Appellant is seeking the Board's approval for a development permit as proposed.**

## **Appeal 37-2019**

Development Appeals Board  
Appeal 37-2019

The Development Appeals Board will hear the appeal:

**Date and Time:** Tuesday, December 17, 2019, at 4:00 p.m.  
**Location:** Committee Room E, Ground Floor, South Wing, City Hall  
(Enter through door #1 or #1A at 4<sup>th</sup> Avenue North)

Anyone wishing to obtain further information or view the file on this matter can contact the Secretary at (306) 975-2780.

If you wish to provide written comments regarding this matter you are required to submit a letter including your name and full address to the Secretary, Development Appeals Board, City Clerk's Office, City Hall, Saskatoon, Saskatchewan, S7K 0J5 or email **[development.appeals.board@saskatoon.ca](mailto:development.appeals.board@saskatoon.ca)**. Please note that your letter and written comments are a public document and will be provided to the parties of the appeal in advance of the hearing.

**Penny Walter, Secretary**  
Development Appeals Board