



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

January 28, 2025, 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. **CALL TO ORDER**
2. **APPEAL HEARINGS**
  - 2.1 **Appeal 21-2024 - Order to Remedy Contravention - 113 Hilliard Street East**
3. **ADJOURNMENT**



Application Form  
DEVELOPMENT APPEAL APPLICATION

Last Updated On:  
1/03/2023

Applicant Information

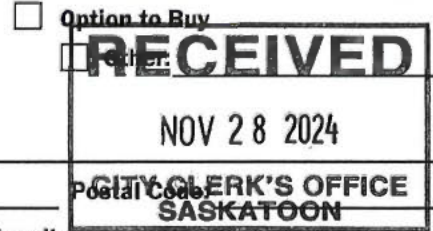
Date of Application: Nov. 20/24

Name of Applicant: CHESLEY BURNS

Address: [Redacted] Postal Code: [Redacted]

Home Telephone: [Redacted] Work Telephone: [Redacted] E-mail: [Redacted]

Applicant's Interest in the Property:  Owner  Tenant  Owner's Representative



Registered Property Owner(s): (if different from above)

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Home Telephone: \_\_\_\_\_ Work Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Location of Subject Property

Legal Description: Lot (s) \_\_\_\_\_, Block \_\_\_\_\_, Plan No. \_\_\_\_\_

Civic Address: 113 HILLIARD ST. E.

Present Status of Building or Structure Under Appeal:

Construction not yet begun  Under Construction  Completed

Type of Construction:

Residential  Commercial  Industrial  Other (specify) \_\_\_\_\_

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

SHIPPING CONTAINER ON PROPERTY PRIOR TO BUILDING PERMIT BEING ISSUED,

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)

THE SHIPPING CONTAINER HAS THE WINDOWS FOR THE UPCOMING BUILD. PERMIT AWAITS DRAWINGS WHICH ARE BEING WORKED ON. (ENGINEER)

Application for Development Permit has been submitted to the Community Services Dept. and subsequently been denied on \_\_\_\_\_ (date)

Attachments

Please ensure the following has been attached:

1. Application Fee: I have enclosed the required \$50.00, non-refundable Application Fee Fee Attached   
(please make cheques payable to City of Saskatoon)

Declaration of Applicant

I hereby certify that all the above statements contained within this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

[Redacted Signature] Nov. 20/24  
Signature of Applicant Date

For Office Use Only:

Comments: \_\_\_\_\_ File No: \_\_\_\_\_  
Cash Receipt No: \_\_\_\_\_ Amount Paid: \_\_\_\_\_ Cheque No: \_\_\_\_\_

The Order to Remedy Contravention issued under Section 219 of The Planning and Development Act, 2007, on October 31, 2024 for the property mentioned below is hereby rescinded and replaced with this Order to Remedy.

222 3<sup>rd</sup> Avenue North Saskatoon Saskatchewan S7K 0J5  
Phone (306) 975-2645 Fax (306) 975-7712

## **ORDER TO REMEDY CONTRAVENTION**

*THE PLANNING AND DEVELOPMENT ACT, 2007*

**CITY OF SASKATOON ZONING BYLAW NO. 8770**

To: Chesley Burns

[REDACTED]  
Saskatoon, SK. [REDACTED]

Owner(s)

### **Part 1**

I, Elan Ballantyne, Development Officer for The City of Saskatoon, inspected:

Civic Address: 113 Hilliard St E  
Surface Parcel: # 119926738  
Zoning District: R2

on October 28, 2024

### **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.

### **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 is a contravention of Zoning Bylaw No. 8770. You are hereby ordered to remedy the contravention as follows:

#### **Contravention:**

Materials, a shipping container, and a trailer are being stored on this lot. No development or building permit has been issued for the property. The permitted use of this lot is vacant land.

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

On or before November 30, 2024, you are required to stop storing all materials and the shipping container and trailer on the lot.

#### **4.3.1 Development Permit Required**

1. 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.

#### **5.16 Outdoor Storage:**

In any Residential District:

- (2) Outdoor storage is permitted in a side or rear yard in an R or M district only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.

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

4.2(1) Application of Regulations; 4.3.1(1) Development Permit Required; 5.16 (2) Outdoor Storage; 8.4 R2 - One and Two-Unit Residential District; 2.0 – Definitions – “development”, “development officer”, “development permit”, “shipping container” “lot” and “used for”.

## **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 7<sup>th</sup> day of November,

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Development Officer

Attachments: Notice of Appeal

Appeals procedure

cc: City of Saskatoon Solicitors Department  
Secretary Development Appeals Board, c/o City Clerk's Office

# B.1



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

January 2, 2025

«RGSTR\_OWNER»  
«MAILING\_ADDR\_DELIV\_ADDR1»  
«MAILING\_ADDR\_CITY»  
«MAILING\_ADDR\_PROV\_CODE»  
«MAILING\_ADDR\_POSTAL\_CODE»

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## NEIGHBOUR NOTIFICATION

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**Reference:** Order to Remedy Contravention – Appeal No. 21-2024  
**Site:** 113 Hilliard Street East  
**Proposal:** Storage Units on Vacant Lot

The above-noted appeal has been filed by **Chesley Burns** under Subsection 219(1)(c) of *The Planning and Development Act, 2007*. This letter has been sent to you as the registered owner or property manager of a property that has been deemed as neighbouring the subject site. The Board is required by law to send a notice in order to give the neighbouring property owners opportunity to submit comments in writing regarding the appeal.

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

**Contravention:**

Materials, a shipping container, and a trailer are being stored on this lot. No development or building permit has been issued for the property. The permitted use of this lot is vacant land.

**The owner is hereby ordered to:**

On or before November 30, 2024, you are required to stop storing all materials and the shipping container and trailer on the lot.

**The Development Appeals Board will hear the appeal: Tuesday, January 28, 2025, at 4:00 p.m. in Committee Room E. Appeal hearings are open to the public.**

For additional information please refer to the website at [www.saskatoon.ca](http://www.saskatoon.ca) (select City Hall, City Council, Boards & Committees, Agendas, Minutes & Video, Development Appeals Board) or contact the Secretary at (306) 975-3240.

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).

**Submissions providing comments and/or requests to speak must be received in the City Clerk's Office by noon the day of the hearing.** 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.

**Debby Sackmann, Secretary**  
Development Appeals Board

**From:** [Adrian Pearce](#)  
**To:** [Web E-mail - Development Appeals Board](#)  
**Subject:** Appeal 21-2024 - Neighbour Notification - Pearce - 113 Hilliard St E - 2024  
**Date:** Thursday, January 9, 2025 9:55:06 AM

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To whom this concern:

We live at [REDACTED] and are pleased to receive your letter. Pleased because we have been unhappy with the condition of the vacant property at 113 Hilliard Street East and we are hopeful that something will be done to remedy the situation.

I am told by neighbours who have lived on our street for a long time that this street has improved over time with the pride we take in our properties. The condition of this property lowers the aesthetics of the neighbourhood and has the potential of lowering our property values.

My wife reminded me that walking past the property has its own risks in that a bush beside the sidewalk needs trimming and one has to be careful not to have their eyes poked by overhanging branches. In the winter, the sidewalk is not shovelled and makes walking in front of the property hazardous.

The fact that it is a vacant lot is not the issue. The problem is the industrial equipment stored on the property and the lack of maintenance by the property owner.

Cordially,  
Adrian Pearce



**From:** [Patti Regier](#)  
**To:** [Web E-mail - Development Appeals Board](#)  
**Subject:** Order to Remedy Contravention – Appeal No. 21-2024  
**Date:** Monday, January 13, 2025 1:10:13 PM

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[Warning: This email originated outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Site:113 Hilliard Street East

Proposal: Storage Units on Vacant Lot

I am writing with respect to the Appeal related to the vacant lot at 113 Hilliard Street East, as provided in your letter January 2,2025.

I have owned and occupied a condo unit since 2002 (rented out in 2023) that is steps away from the vacant lot. Since a home was demolished on that property several years ago, the lot has been used for all kinds of storage by a commercial business working in the construction/electrical industry. I base this on the vehicles that come and go from the property and things that have been stored there over the years. This includes piles of dirt at times along with a trailer I don't think has ever moved, and other materials. The property is unkept as far as cutting grass and general upkeep of trees and garbage. It's been not only an eyesore but a hazard to itself and to neighboring properties. I estimate this has been going on for close to ten years. I considered calling the city with a complaint but I never did; I am grateful someone else took the initiative to do so.

It's time the vacant lot gets cleaned up and used for the property's zoned purpose, that does not take away from the residential neighborhood and community, that is near a school, church and parks. If someone is running a business, they need to secure storage in a commercial area and that is the cost of doing business.

I appreciate the opportunity to respond to this issue and thank you. I am in support of the "Order to Remedy" filed against Chesley Burns and enforcement of the order should she lose the appeal.

*Regards,*

*Patti Regier*

