



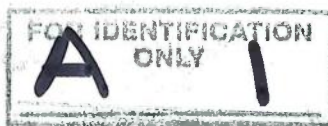
**NOTICE OF HEARING
OPEN TO THE PUBLIC
DEVELOPMENT APPEALS BOARD**

October 8, 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 25-2019 - Order to Remedy Contravention - 2504 14th Street East**
Secondary Suite Approved Site Plan - June 1, 2018 (Parking Deficiency)

2063



City of Saskatoon Development Appeal Application- page 2

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

Applicant Name: JULIE HUNCHAK

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

Location of Subject Property

Legal Description

Lot (s) 59 Block 322

Plan No. 60505931 ext 0

Civic Address: 2504 14th STREET EAST

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.)

REQUIRED HARD SURFACE PARKING FOR SECONDARY SUITE

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)

(see attached)

Please do NOT schedule the hearing Sep 23 - 30 as I am out of town on those days.

BOTH SIDES OF THIS FORM MUST BE COMPLETED

Reason for Development Appeal
Julie Hunchak

3 of 3

During the summer of 2018, we had numerous conversations with City of Saskatoon Planning and Development staff to clarify all the requirements for creating a legal secondary suite, including clarification of the parking requirements, specifically the "paved, sited and screened" wording in Bylaw 8770, Section 5.30(h). We wanted to use crushed rock as a surface and were reassured that this would be fine and that the main intent of this wording was to ensure that the parking was clearly constructed for parking and was not just grass or dirt. It was suggested by staff that crusher dust was also a great material to consider, and at no time did staff refer us to Section 6.2.2(a), which defines "hard surfacing" and "pavement". In good faith, we constructed a two-car crushed rock driveway off the back alley for use by the suite, along with associated fencing and landscaping, spending approximately \$2,400 plus sixty hours of our labor. Had we been planning an asphalt or concrete drive, we would have made the driveway area smaller and configured the fencing and landscaping differently. The resulting driveway is tidy and functional, provides two off-street parking areas for tenants, and suits the neighborhood well.



Appeal 25-2019

Community Standards
222 3rd Avenue North
Saskatoon SK S7K 0J5

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

The Order to Remedy Contravention issued under Section 219 of *The Planning and Development Act, 2007*,
on August 1, 2019 is hereby rescinded and replaced with this
Order to Remedy.

ORDER TO REMEDY CONTRAVENTION

THE PLANNING AND DEVELOPMENT ACT, 2007

CITY OF SASKATOON ZONING BYLAW NO. 8700

Attn: Julie B Hunchak

Saskatoon, SK

☒ Owner

Part 1

I, Megan Heinbigner, Development Officer for The City of Saskatoon, inspected:

Civic Address: 2504 14th Street East
Surface Parcel: 120327500
Zoning District: R1

On Thursday, June 6, 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, 2504 14th Street East has not been developed with the required hard surface parking area as per the approved site plan dated on June 1, 2018, which is attached as Appendix A and forms part of this Order.

You are hereby ordered to:

1. On or before September 3, 2019, develop the parking area in accordance with Section 5.30(h) and Section 6.2.2(a) of the Zoning Bylaw No. 8770. One additional off-street hard surface parking space is required for the secondary suite.

Relevant Sections of the Zoning Bylaw No 8770:

4.2(1) – Application of Regulations; 4.3.1(1) – Development Permit Required; 8.4 R1 – Large Lot One-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

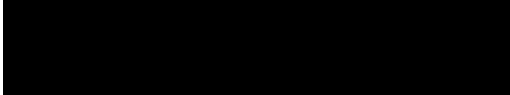
If you feel aggrieved by this Order, you have the right to appeal to the Development Appeals Board. If you wish to appeal, you must file the attached Notice of Appeal within 30 days of the date of the issuance of the Order. The Notice of Appeal must be filed with:

**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 1st day of August, 2019.


Development Officer

Attachments: Notice of Appeal
Appeals procedure

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



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

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

August 29, 2019

Dear Neighbouring Property Owner:

**Re: NOTICE OF HEARING – DEVELOPMENT APPEALS BOARD
Order to Remedy Contravention – 2504 14th Street East
[Appeal No. 25-2019]**



As a neighbouring property owner of the above property you are hereby notified that **Julie Hunchak** 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 property located at **2504 14th Street East**. 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 order to remedy contravention for this property.

The Order to Remedy Contravention was issued for this property on **August 1, 2019**, pursuant to Section 242 of *The Planning and Development Act, 2007*, and the Order states as follows:

Contravention:

The property, 2504 14th Street East has not been developed with the required hard surface parking area as per the approved site plan, dated on June 1, 2018.

You are hereby ordered to:

On or before September 3, 2019, develop the parking area in accordance with Section 5.30(h) and Section 6.2.2(a) of the Zoning Bylaw No. 8770. One additional off-street hard surface parking space is required for the secondary suite.

The Appellant is appealing the above referenced Order to Remedy Contravention.

The Development Appeals Board will hear the appeal:

Date and Time: Tuesday, October 8, 2019, at 4:00 p.m.

Location: Committee Room E, Ground Floor, South Wing, City Hall
(Enter through door #1 or #1A at 4th 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. 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