

January 23, 2023

Secretary, Standing Policy Committee on
Planning, Development & Community Services

Dear His Worship the Mayor and Members of City Council:

**Re: 2022 Annual Report - Saskatoon Development Appeals Board
[File No. CK 430-30]**

In accordance with the Development Appeals Board Policy and Procedures, as Chair of the Development Appeals Board (DAB), I hereby submit the Board's 2022 Annual Report for City Council's information.

Background

The DAB operates as a quasi-judicial body consisting of members of the public who have been appointed by City Council to serve in a neutral position on the Board. Sections 219 and 221 of *The Planning and Development Act, 2007*, (PDA) provides the Board the authority to adjudicate on appeals such as those related to minor variances, misapplication of the *Zoning Bylaw* in issuing a development permit, refusal to issue a development permit because it would contravene the Bylaw, refusal of subdivision applications and any conditions of a zoning order issued for a property. Subsection 71(7) of the PDA authorized the Board to adjudicate on an appeal of the Holding provision.

Board Membership

Membership on the Board for the year 2022 was as follows:

- Len Kowalko, Chair
- June Bold, Vice-Chair
- Jania Chilima, Member (resigned)
- Cameron Duncan, Member (no attendance and resigned)
- Lois Lamon, Member
- Nick Sackville, Member

The 2023 membership on the Board is as follows:

- Len Kowalko, Chair
- June Bold, Vice-Chair
- Lois Lamon, Member
- Cherese Reemaul, Member
- Nick Sackville, Member

Appeals and Hearings - 2022

In 2022, the Board heard 39 appeals, a decrease from 2021 when 58 appeals were heard. Decisions of the DAB can be further appealed to the Planning Appeals Committee, Saskatchewan Municipal Board (SMB). Below is a summary of appeals made to the DAB and SMB in 2022.

	Total DAB Appeals Received	DAB Appeals Withdrawn	DAB Appeals Granted	DAB Appeals Denied	DAB Appeals Revoked	DAB Appeals Rescinded	DAB Appeals Upheld and Time Extension	Total Number of DAB Appeals filed to SMB
Permit Denial	23	1	19	2	--	--	--	1
Order to Remedy Contravention	13	1	4		1	1	5	2
Sign Permit	2	--	1	1	--	--	--	1
Remove "H" Symbol	1	--	1	-	--	--	--	-
Grand Total	39	2	25	3	1	1	5	4

A number of appeals heard by the Board in 2022 dealt with a contravention of *Zoning Bylaw* regulations related to signs, hard surfacing of parking spaces, and landscaping which were considered to be of a minor nature. In 2022, the majority of appeals before the Board were regarding a denial of a permit.

The Board notes the number of appeals declined from 2021. This decline maybe attributed, in part, to text amendments that the City undertook to provide flexibility in the *Zoning Bylaw* regulations. The Board encourages the Planning and Development Department or Community Standards Department to continue to consider amendments that may provide more administrative flexibility in development review with a potential to reduce appeal applications. Minimizing the number of appeals would reduce the Board involvement and thereby, staff time of the offices of the City Clerk and Community Services Division.

As in past years, the DAB would like to express its appreciation to the Community Services staff, for the thoroughness and comprehensive manner in which appeals are presented to the Board, and to the staff of the City Clerk's Office for the administrative support.

Sincerely,


Len Kowalko
Board Chair, 2022

LK:drs