

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Section 219 of The Planning and Development Act, 2007, on October 31, 2024 for the property mentioned below is hereby rescinded and replaced with this Order to Remedy.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 3rd 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 7th day of November,

Development Officer

Attachments: Notice of Appeal

Appeals procedure

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