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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

January 31, 2025

«RGSTR_OWNER»
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«MAILING_ADDR_CITY»
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NEIGHBOUR NOTIFICATION

Reference: Development Permit Denial – Appeal No. 3-2025
Site: 2302 22nd Street West
Proposal: Restaurant (Wendy’s) - Landscaping deficiencies

The above-noted appeal has been filed by Darren Miller, 102100587 Saskatchewan Ltd. on behalf of North Star Innovative Development Inc. under Subsection 219(1)(b) 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 **B4** under *Zoning Bylaw No. 8770*, and the development permit was denied due to the following deficiencies:

- Requirement:** Section 2.0 of City of Saskatoon’s *Zoning Bylaw No. 8770* defines “landscaping” to mean the provision of horticulture and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:
 - Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, ornamental grasses, lawn and ground cover;
 - Hard landscaping consisting of non-vegetative materials such as concrete, unit pavers, brick pavers or tile, but does not include rock, gravel, shale, or asphalt. Hard landscaping may include pathways, walkways, non-necessary driveways, or other similar hard surfaces that may be in addition to what is required under this Bylaw; and
 - Intensive landscaping means a planting ration of trees and shrubs per linear metre that is at least 25% greater than the planting ratio otherwise required under this Bylaw.

Proposed: Based on the information submitted the proposed development includes landscape rock throughout the required 1.5m landscape strip along Avenue W and 3.0m required landscape strip along 22nd Street West.

Deficiency: As per the definition of landscaping, rock or gravel cannot be used for hard landscaping and is not permitted in required landscaping strips.

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2. Requirement: Section 7.3(1) of City of Saskatoon's *Zoning Bylaw No. 8770* states that required landscaped strips shall consist of a minimum 75% soft landscaping material and a maximum 25% hard landscaping material. Necessary driveway access to the site shall not be included in the maximum 25% hard landscaping.
- Proposed: Based on the information submitted there is a proposed concrete space for the future bus rapid transit shelter shown within the 3.0m landscape strip along 22nd Street West and is considered hard landscaping per the *Zoning Bylaw* definition of landscaping.
- Deficiency: The area of the pedestrian walkway along with the area of the concrete for the future bus rapid transit shelter is covering approximately 34.27% of the required landscape strip along 22nd Street West. This exceeds the maximum hard landscaping allowed by 9.27%.

The Development Appeals Board will hear the appeal: Tuesday, February 18, 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 (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.

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