

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

The order dated October 31, 2024, has been rescinded and replaced with this order dated March 12, 2025.

ORDER TO REMEDY CONTRAVENTION

THE PLANNING AND DEVELOPMENT ACT, 2007

CITY OF SASKATOON ZONING BYLAW NO. 8770

To: Genevieve & Michael Montcombroux

████████████████████
Saskatoon, SK ██████████

Owner(s)

Part 1

I, Patricia Chartier, Development Officer for The City of Saskatoon, inspected:

Civic Address: 434 Witney Avenue North
Surface Parcel: 120046373, 120046362
Zoning District: R2

on March 10, 2025

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 are contraventions of Zoning Bylaw No. 9990. You are hereby ordered to remedy the contravention as follows:

Contravention:

The site 434 Witney Avenue North is located in a R2 zoning district where the form of development has been altered by the addition of a side fence which exceeds 2.0m in height.

You are hereby ordered to:

1. On or before April 30, 2025, you are required to reduce the height of the fence to 2.0 m above grade by removing the screening attached to the fence.

Relevant Sections of the Zoning Bylaw No. 8770:

4.2(1) Application of Regulations; 5.1.14 Fences (2); 8.4 R2 Low Density Residential District 2; 2.0 Definitions "alteration or altered", "development", "development officer", "dwelling unit", "site", "structure", "yard".

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 12th of March 2025,

Patricia Chartier
Development Officer

Attachments: Notice of Appeal
Appeals procedure.

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