

February 12, 2025

Deputy City Clerk, Standing Policy Committee on
Planning, Development & Community Services

Dear Her Worship the Mayor and Members of City Council:

**Re: 2024 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 DAB's 2024 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 DAB. Sections 219 and 221 of *The Planning and Development Act, 2007*, (PDA) provide for the right of appeal and guides the DAB in making decisions on appeals, respectively. The DAB adjudicates 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, refusal of a subdivision application, conditions of a zoning order issued for a property, and removal of the holding symbol.

DAB Membership

Membership on the DAB for the year 2024 was as follows:

- Len Kowalko, Chair
- Nick Sackville, Vice-Chair
- June Bold, Member
- Corwyn Shomachuk, Member

The 2025 membership on the DAB is as follows:

- Nick Sackville, Chair
- Corwyn Shomachuk, Vice-Chair
- Len Kowalko, Member
- Evan Reekie, Member appointed January 29, 2025

Appeals and Hearings - 2024

In 2024, the DAB received 21 appeal applications of which 18 decisions were made. The number of appeals received decreased from 2023 where 40 appeals were received and heard. The DAB notes that the number of appeals has stayed relatively consistent over the last number of years but has declined in the last year attributed in part to amendments made to the *Zoning Bylaw* that provide flexibility in development review. 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 2024.

	Total DAB Appeals Received	DAB Appeals Withdrawn	DAB Appeals Granted	DAB Appeals Denied	DAB Appeals Revoked	DAB Appeals Rescinded	DAB Appeals Upheld and Time Extension	Total Number of DAB Appeals filed to SMB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	11	1	9	1	--	--	--	1
Order to Remedy Contravention	5	--	3	--	--	--	2	--
Sign Permit	3		3	--	--	--	--	--
No Denial Issued	2	--	--	--	--	--	--	--
Grand Total	21	1	15	1	0	0	2	1

The DAB heard appeals related to denial of sign and development permits and on Orders to Remedy Contravention. Appeals dealt with a contravention of *Zoning Bylaw* regulations related to signs, hard surfacing of parking spaces, and landscaping. Some of the appeals were of a minor nature. Several appeals related to material requirements for landscaping and hard surface parking in industrial areas.

The City undertook text amendments to increase flexibility in the *Zoning Bylaw* regulations which allows for timely development review. The DAB encourages City Planning staff 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 DAB involvement and thereby, staff time of the offices of the City Clerk and Community Services Department. It would also help to expedite development for developers and residents.

In 2024, the DAB was re-examined as part of City Council's governance review of various Boards and Committees. The DAB's Terms of Reference was updated to include a recruitment process that requires applicants for DAB membership be interviewed by the City Agency Recruitment and Evaluation Committee (CARE) using a recruitment and performance evaluation matrix, along with increasing remuneration for DAB members, and implementing mandatory training for members of the DAB. These updates came into effect January 1, 2025.

Remuneration, as determined by City Council on June 26, 2024, and effective on January 1, 2025, is as follows:

Panel Chairperson \$150 for up to and including 4 hours per day;
 \$25 per hour for each additional hour per day as required;

Panel Member \$100 for up to and including 4 hours per day;
 \$25 per hour for each additional hour per day as required.

In addition, the member who writes the decision of the DAB shall receive a further \$50.00 for each decision written by the member.

The remuneration is supportive of the updated recruitment process and time commitment of members.

In implementing member training, the Secretary to the DAB pursued sources of training for members with the Ministry of Government Relations. The training will ensure that new and continuing members have a sound understanding of the DAB mandate and enabling legislation. It is expected that member training will be provided early in 2025.

As in past years, the DAB appreciates the assistance given by the Community Services staff, for the thoroughness and comprehensive manner in which appeals are presented to the DAB, and to the staff of the City Clerk's Office for the administrative support.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Len Kowalko', with a stylized, flowing script.

Len Kowalko
DAB Chair, 2024

LK:drs