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March 26, 2025

City of Saskatoon Development Appeal Application- page 2

THIS PAGE WILL FORM PART OF THE PUBLIC RECORD FOR THE APPEAL

Applicant Name: Winston Mah

Registered Property Owner(s):
(if different from above): _____

Location of Subject Property

Legal Description

Lot (s) _____ Block _____ Plan No. _____

Civic Address: 1205 Spadina Crescent East

Present Status of Building or Structure Under Appeal:

Construction not yet begun Under Construction Completed

Type of Construction:

Residential Commercial Industrial Other (specify) Residential

Description of Development Appeal: (example: side yard deficiency, parking deficiency, etc.)

Development Permit Denial: NHS-2024-09117 Proposal: New One Unit Dwelling Site
Address: 1205 Spadina Cres E Neighbourhood: North Park (Category 1 Established
Neighbourhood) Zoning District: R2 – Low Density Residential District 2

Reason for Development Appeal: (as per *The Planning and Development Act, 2007*, applicants have 5 days prior to the appeal hearing date to submit drawings and written materials)

See Supporting Document 3 documents

BOTH SIDES OF THIS FORM MUST BE COMPLETED

March 25, 2025

Rod Sawatzky

██████████
Warman, SK ██████████

SENT VIA EMAIL

Re: Development Permit Denial: NHS-2024-09117
Proposal: New One Unit Dwelling
Site Address: 1205 Spadina Cres E
Neighbourhood: North Park (Category 1 Established Neighbourhood)
Zoning District: R2 – Low Density Residential District 2

The Planning and Development Division has reviewed your Building and Development Permit application for an Accessory Building. After review, the following deficiency has been noted with the City of Saskatoon's Zoning Bylaw 9990:

1. Requirement: Section 8.4.4 (3)(a) states:
"The front yard setback requirement for OUDs, TUDs, SDDs and MUDs containing up to four dwelling units in established neighbourhoods shall not vary by more than 3 metres from the average front yard setback of the principal buildings on adjacent flanking sites, provided that in no case shall the setback be less than 6 metres."

The adjacent properties have existing front yard setbacks of:

1207 Spadina Cres E = 13.21m

1203 Spadina Cres E = 10.27m

Average = 11.74m

Based on the average front yard setback of the adjacent properties (11.74m), the minimum front yard setback shall not be less than 8.74m (11.74m – 3m).

Proposed: The proposed One Unit Dwelling has a front yard setback of 6.555m.

Deficiency: This proposed front yard setback is deficient 2.185m (7.168ft).

2. Requirement: Section 8.4.2 states the minimum rear yard setback for a One Unit Dwelling on an interior site is 7.5m.

Proposed: The proposed One Unit Dwelling has a rear yard setback of 4.775m.

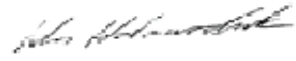
Deficiency: This proposed front yard setback is deficient 2.725m (8.94ft).

As consequence, the Planning and Development Division cannot approve your plans for a Development Permit.

I understand you wish to appeal this decision to the Development Appeal Board. To proceed with an appeal request please fill out the online Development Appeal application form available through the following link: <https://capps.saskatoon.ca/development-appeals/> within 30 days of the date of this letter. Note there is an application fee of \$50 for this process. Attached to this email is general information about the Development Appeal process, as well as an extract from the Planning and Development Act 2007.

If you have any questions about this information, please let me know.

Sincerely,



Wes Holowachuk
Planning and Development Division (306-975-7905)
Wes.Holowachuk@Saskatoon.ca

cc: Brent McAdam, Planning and Development
Development Appeal Board Secretary, City Clerks
Winston Mah, Property Owner

March 26, 20-

1205 Spadina Cres East Affirmation

Winston Mah the owner has approached me with regards to a new build of a single-family dwelling at 1205 Spadina Cres. He has shared his building floor plans and I have no issues with these drawings, and he has my support in building his single-family bungalow dwelling at 1205 Spadina. I have no concerns over the setbacks in his proposed plans.

Thanks

Priscilla Mah



property owner [redacted] and [redacted] Spadina Cres E

1205 Spadina Cres

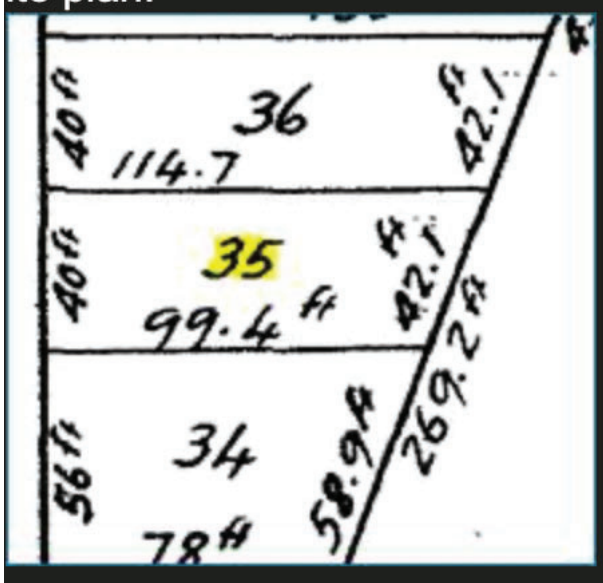
Summary. Permit to build a new single-family dwelling at 1205 Spadina Cres East was denied for the following reasons.

1. Regulation: Section 8.4.4(3)(a) 8.74 Metres front set back
2. Section 8.4.2(1) 7.5 metre set back in the rear.

Today we are looking to appeal the permit denial based on the following reasons

Application for Appeal:

1. Odd shaped lot with grading concerns. The unique shape of the lot and the lack of site depth, particularly on the south side yard, provide significant challenges to building a sensitive infill within the allowable footprint as permitted by the zoning bylaw. Having a rear set back of 7.5 metres (24.6 feet) and a front set back 8.74 (28.7 feet) metres would leave 47 feet of usable space and is generally in alignment with the existing form of the surrounding area.
2. There is a slope along the front of the property that prevents from building to the front of the lot without considerable engineering design and earth restructuring.
3. Lot 3 [REDACTED] Spadina Cres) and 3 [REDACTED] Spadina Cres) is owned by Priscilla Mah and is supportive of the proposed site design and layout.
4. The plan is also to build a basement suite and having a bungalow basement would allow for a secondary suite to help add an additional residence to the available pool of housing.
5. House still conforms to the 40% coverage limits.



1. Not grant special privilege

Granting this appeal would not grant special privilege as the reason we are seeking an exemption is due to an odd-shaped lot to put up a bungalow with a basement suite.

Having large setbacks in the front are not characteristics of houses in established areas as many houses have street presence and having large setbacks would make it feel cavernous. By having a bungalow, it would better suit the neighbourhood as well as my direct neighbour (bungalows) vs having a large, towering 2 story dwelling, next to 2 bungalows.

Advantage:

- Match neighbours building style.
- Wont tower over other houses.
- Wont block sunlight – (2 storey dwelling).
- Street presence in alignment with the surrounding area.
- Non cavernous feel.

2. Intent not to defeat the intent of the zoning bylaw

This proposal does not defeat the intent of the zoning bylaw as the bungalow housing form being proposed is typical of R2 zoning throughout Saskatoon, but the unique size and shape of the site prevents typical site design.

3. Injure neighboring properties

The proposed development is under the 40% site coverage requirement and a bungalow that reduces sidewall massing is preferred by neighbouring properties. Priscilla Mah owns the [REDACTED] property. She is favour of the building plans.

This will increase house values in the area given the status that Spadina Cres brings. The current location has houses that were built in the 60's and are decrepit and needing investments in the area and increase.

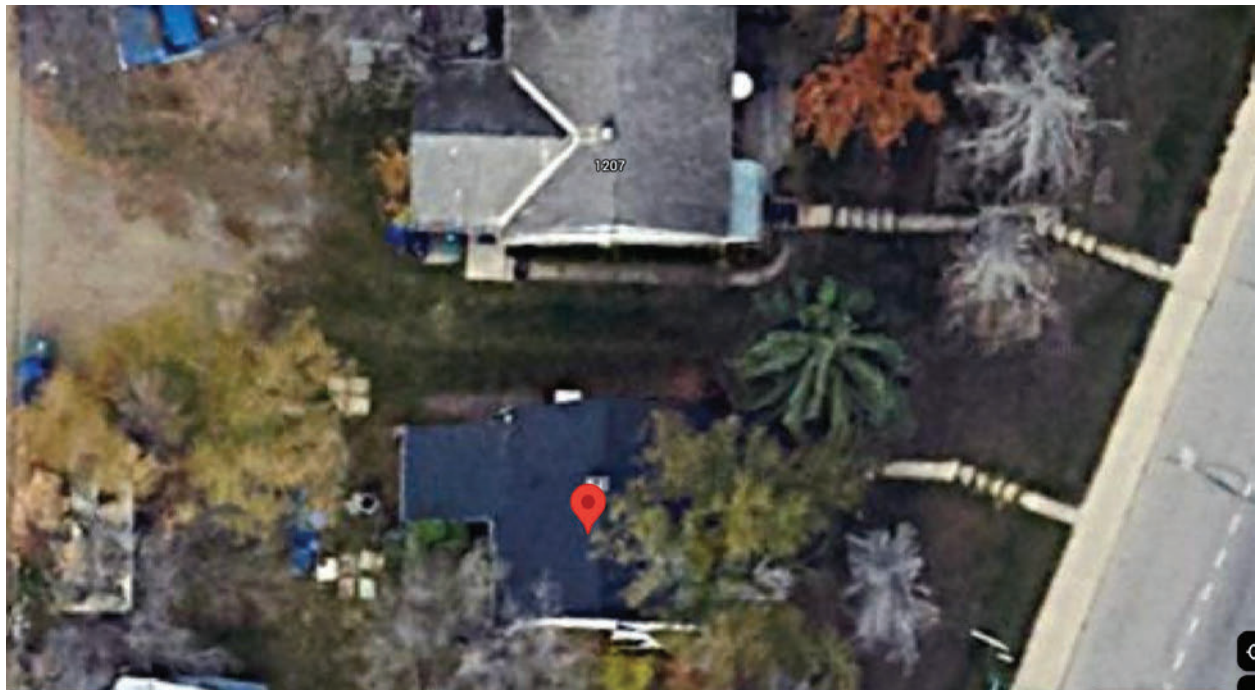
Attached is her support for the property.

In Summary

I am seeking an appeal to the front and rear setbacks requirements to build a single-family bungalow (with suite) that would be sensitive to the style of the neighbours. I would need an exemption to the front and rear setbacks to build a house that would follow the 40 % coverage and maintain no preferential treatment, maintain the intent of the bylaw and keep consistent with the neighbours. T

Thank you for your time and consideration

Top View of the property: Slope starts at the front tree



Front View: House fits on a slope.

