



DEVELOPMENT APPEALS BOARD MEETING
Tuesday, April 20, 2021 at 5:00 p.m.
City Council Chambers
2nd Floor Moose Jaw City Hall
228 Main Street North, Moose Jaw, SK

TO: MEMBERS OF THE DEVELOPMENT APPEALS BOARD

Rece Allen
Fred Anderson

Jeffery Hawke
David Danchilla

ALSO:

Michelle Sanson, Director of Planning & Development Services
Veronica Blair, Development Planner
Selena Kirzinger, Planner I

AGENDA

The Development Appeals Board for the City of Moose Jaw will hear at a Public Meeting in the City Council Chambers, 2nd Floor, City Hall at **5:00 p.m., Tuesday, April 20, 2021**, appeals in the matter of certain requirements of the said Act and Bylaw as listed below:

1. Adoption of Minutes – March 16, 2021
2. Application for Appeal to Development Appeals Board dated March 17, 2021 from Corinne & Paul Hammer.
Development Appeals Board No. 4 – 2021
"Proposed Detached Garage"
Lots 6, 7 & 8, Block 8, Plan G1896 Ext 0
1539 Duffield Street, Moose Jaw, SK
4. Application for Appeal to Development Appeals Board dated March 24, 2021 from Warren Brisbin
Development Appeals Board No. 5 – 2021
"Proposed Accessory Building"
Lots 41 & 42, Block 31, Plan G1868
1434 Spadina Street, Moose Jaw, SK

IT IS ANTICIPATED YOU WILL BE IN ATTENDANCE AT THE ABOVE NOTED MEETING, HOWEVER, IF YOU ARE UNABLE TO ATTEND, PLEASE EMAIL cclerk@moosejaw.ca or TELEPHONE 306-694-4424 PRIOR TO THE MEETING.

c. Bylaw Enforcement



**PUBLIC MINUTES OF THE
DEVELOPMENT APPEALS BOARD MEETING**

**Tuesday, March 16, 2021 at 5:12 p.m.
Council Chambers
2nd Floor, City Hall**

MEMBERS PRESENT: Rece Allen
Fred Anderson
Jeffery Hawke
David Danchilla

ALSO PRESENT: Veronica Blair, Development Planner
Selena Kirzinger, Planner 1
Pearl Anderson, Secretary

Pearl Anderson, Board Secretary, called the meeting to order at 5:12 p.m.

Re: Declaration of Members, Review of Bylaws and Statutes

Members present completed and signed the "Declaration of Members of the Development Appeals Board" and returned them to the Board Secretary.

Members reviewed the applicable bylaws and statutes respecting the Development Appeals Board. In addition, members reviewed the absenteeism policy, code of ethics and conflict of interest concerning appointed members of the Board.

Members of the Board acknowledged they had perused the aforementioned documents relevant to the Development Appeals Board and understood their roles on said Board.

Moved by Fred Anderson

THAT the applicable bylaws, statutes, code of ethics, conflict of interest and absenteeism policy respecting the Development Appeals Board be received and filed.

Carried.

Re: Appointment of Chairperson for the Year 2021

David Danchilla nominated Rece Allen as Chairperson for the year 2021.

Mr. Allen accepted the nomination.

Moved by Fred Anderson
THAT nominations cease.

Carried.

Rece Allen was appointed Chairperson of the Development Appeals Board for the year 2021.

Mr. Allen assumed the Chair.

Re: Appointment of Vice-Chairperson for the Year 2021

Rece Allen nominated David Danchilla as Vice-Chairperson for the year 2021.

Mr. Danchilla accepted the nomination.

Moved by Rece Allen
THAT nominations cease.

Carried.

David Danchilla was appointed Vice-Chairperson of the Development Appeals Board for the year 2021.

Re: Appointment of Secretary for the Year 2021

Moved by David Danchilla
THAT Pearl Anderson be appointed Secretary of the Development Appeals Board for the year 2021.

Carried.

Re: Adoption of the Agenda

Moved by Rece Allen
THAT the March 16, 2021 agenda for the Development Appeals Board meeting be amended by moving Development Appeal No. 1 of 2021 to be considered after Development Appeal No. 2 and 3 of 2021 are heard.

Carried.

Re: Adoption of Minutes – November 17, 2020

Moved by Fred Anderson
THAT the November 17, 2020 minutes of the Development Appeals Board be received and adopted.

Carried.

DEVELOPMENT APPEAL NO. 02 – 2021
“Proposed Addition to Garage”
Lot 9, Block 273, Plan 65MJ01153
1219 Simcoe Street, Moose Jaw, SK
(Jocelyn Wigmore/Brock Paul)

Considered was an application requesting a variance from the City of Moose Jaw's Zoning Bylaw No. 5346, as amended, to permit the construction of a an addition to a garage on the property described as Lot 9, Block 273, Plan 65MJ01153, civically known as 1219 Simcoe Street, Moose Jaw, SK providing a proposed:

- Front yard setback of 5.8m (19.0 feet), contrary to the 7.5m (24.6 feet) prescribed by the City of Moose Jaw Zoning Bylaw.

The following persons appeared before the Board with respect to the appeal:

Jocelyn Wigmore & Brock Paul, Appellants
Veronica Blair, Development Planner
Selena Kirzinger, Planner 1

Moved by Fred Anderson

THAT the application for variance be **granted** for the reasons, in the nature, and subject to the terms and conditions set forth in the Record of Decision of the Board.

Carried.

DEVELOPMENT APPEAL NO. 03 – 2021

"Proposed Front Deck"

Lot 19, Block 192, Plan Old 96 Ext 0

66 Iroquois St. W., Moose Jaw, SK

(Southern Design and Build Inc. on behalf of the property owner)

Considered was an application requesting a variance from the City of Moose Jaw's Zoning Bylaw No. 5346, as amended, to permit the construction of a front deck on the property described as Lot 19, Block 192, Plan Old 96 Ext 0, civically known as 66 Iroquois Street West, Moose Jaw, SK providing a proposed:

- Front deck projection of 2.4m (7.9 feet), contrary to the 1.8m (5.9 feet) allowed under the City of Moose Jaw Zoning Bylaw.

The following persons appeared before the Board with respect to the appeal:

Brandon Paulhus, Southern Design and Build Inc., Appellant's Representative
Ryan McPhail, Southern Design and Build Inc., Appellant's Representative
Veronica Blair, Development Planner
Selena Kirzinger, Planner 1

Moved by David Danchilla

THAT the application for variance be **granted** for the reasons, in the nature, and subject to the terms and conditions set forth in the Record of Decision of the Board.

Carried.

DEVELOPMENT APPEAL NO. 01 – 2021
"Proposed Freestanding Sign"
Lot 2, Block 269, Plan 101101352 Ext 3
2005 Norwood Avenue, Moose Jaw, SK
(Indiglow Signs & Graphics Inc., on behalf of the Appellant)

Considered was an application requesting a variance from the City of Moose Jaw's Zoning Bylaw No. 5346, as amended, to permit the construction of a sign on the property described as Lot 2, Block 269, Plan 101101352 Ext 0, civically known as 2005 Norwood Avenue, Moose Jaw, SK providing a proposed:

- Height of 18.5m (60.75 feet) contrary to the 14.0m (45.9 feet) prescribed by the City of Moose Jaw Zoning Bylaw.

The following persons appeared before the Board with respect to the appeal:

Graham Warner, Appellant
Cory Brandhagen, Indiglow Signs & Graphics Inc., Appellant's Representative
Veronica Blair, Development Planner
Selena Kirzinger, Planner 1

Moved by Jeffery Hawke

THAT the application for variance be **granted** for the reasons, in the nature, and subject to the terms and conditions set forth in the Record of Decision of the Board.

Carried.

Moved by Rece Allen

THAT the meeting adjourn.

Carried.

The meeting adjourned at 5:50 p.m.

"Rece Allen"
CHAIRPERSON

"Pearl Anderson"
SECRETARY

Exhibit A

D.O.M. – April 20, 2021
APPEAL NO. 4 of 2021
\$50 paid



City of MOOSE JAW

RECEIVED CLERK / SOLICITOR		
MAR 18 2021		
FILE NO. _____		
CHECKED BY	REFERRED TO	INITIAL

DEVELOPMENT APPEALS BOARD
APPLICATION FORM

1. Applicant Information

Name: Corinne + Paul Hammer

Company: _____

Address: _____

City: _____ Province: _____ PC: _____

Phone #: H: () _____ W _____

Email: _____

2. Subject Property

Civic Address: 1539 Duffield W

Lot(s): 6-7-8 Block: 8 Plan No. G1896 ExD

¼: _____ Sec: _____ Tp: _____ Rg: _____ W2nd Meridian

3. Applicant's Interest in Property

Registered Owner _____ Agent of Owner

Tenant _____ Other _____

Neighbour _____

4. Property Owner (if different from Applicant)

Name: _____

Company: _____

Address: _____

City: _____ Province: _____ PC: _____

Phone#: H: () _____ W: () _____

C: () _____

Email: _____

5. Description of Proposed Development (be specific, attach copies of application and decision)

6. Reason for Appeal

- | | |
|--|--|
| <input type="checkbox"/> Misapplication of zoning bylaw in issuance of permit | <input type="checkbox"/> Enforcement order has been issued |
| <input type="checkbox"/> Development permit wrongfully refused | <input type="checkbox"/> Site plan control conditions on development |
| <input checked="" type="checkbox"/> Request variance to specific development standards | <input type="checkbox"/> Alterations to non-conforming building refused |
| <input type="checkbox"/> Development standards for DU are excessive | <input type="checkbox"/> Failure to enter development/servicing |
| <input type="checkbox"/> Failure to remove holding symbol | <input type="checkbox"/> Permit for architectural or demolition control district refused or decision not made within 30 days |
| <input type="checkbox"/> IDC&B; refused or development standards placed upon agreement | <input type="checkbox"/> Building material order |
| <input type="checkbox"/> DCD decision refused or not made within 60 days | <input type="checkbox"/> Subdivision appeal |
| <input type="checkbox"/> Minor variance revoked, refusal or conditions | |

7. Summary of supporting facts (explain in detail the grounds the appeal is being made, identify sections of the official community plan and zoning bylaw that apply to this appeal, etc.)

12 foot walls to allow for hoist in 1 Bay. Hoist will be used for personal use

8. Any additional information (provide any additional information that may support the appeal)

9. Expectation of the Appeal (Indicate action requested of the Board)

Variance of 17'-7 1/2" granted on accessory building

10. Other Requirements

1. The application must include a basic fee of \$50 to help cover expenses relating to the appeal.
2. An agent must have written authorization if they are to act on the applicants' behalf at the appeal hearing.
3. Applicants must submit all evidence and materials in support of the related appeal to the secretary at least five days prior to the hearing. All evidence and support material provided to the secretary less than five days before the hearing will be dismissed by the board.
4. Until the hearing is complete and a decision has been issued, no binding contracts for the land should be made and no construction or site preparation should be started.

11. Authorization

I hereby swear that the information given on this form is full and complete and that all statements contained within this application are true.

Signature of Applicant

Date

March 17/21

CORINNE HAMMER
Name (Printed)

For Office Use Only

Appeal # _____

Date Fee Paid _____

Receipt # _____



Exhibit A

D.O.M. - April 20, 2021

APPEAL NO. 5 of 2021

\$50 paid

City of MOOSE JAW

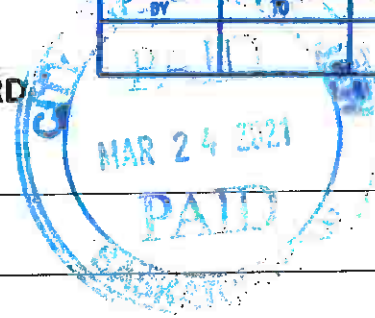
RECEIVED
CLERK / SOLICITOR

MAR 24 2021

FILE NO:

CHECKED BY	REFERRED TO	INITIAL

DEVELOPMENT APPEALS BOARD
APPLICATION FORM



1. Applicant Information

Name: Warren Brisbin

Company: _____

Address: _____

City: _____ Province: _____ PC: _____

Phone #: H: (_____) W: (_____)

C: (_____)

Email: _____

2. Subject Property

Civic Address: 1434 Spadina Street

Lot(s): 41 - 42 Block: 31 Plan No. G1868

¼: _____ Sec: _____ Tp: _____ Rg: _____ W2nd Meridian

3. Applicant's Interest in Property

Registered Owner _____ Agent of Owner

_____ Tenant _____ Other _____

_____ Neighbour

4. Property Owner (if different from Applicant)

Name: _____

Company: _____

Address: _____

City: _____ Province: _____ PC: _____

Phone#: H: (_____) W: (_____)

C: (_____)

Email: _____

5. Description of Proposed Development (be specific, attach copies of application and decision)

Addition to an existing garage. -- copies attached

6. Reason for Appeal

- | | |
|--|--|
| <input type="checkbox"/> Misapplication of zoning bylaw in issuance of permit | <input type="checkbox"/> Enforcement order has been issued |
| <input type="checkbox"/> Development permit wrongfully refused | <input type="checkbox"/> Site plan control conditions on development |
| <input checked="" type="checkbox"/> Request variance to specific development standards | <input type="checkbox"/> Alterations to non-conforming building refused |
| <input type="checkbox"/> Development standards for DU are excessive | <input type="checkbox"/> Failure to enter development/servicing |
| <input type="checkbox"/> Failure to remove holding symbol | <input type="checkbox"/> Permit for architectural or demolition control district refused or decision not made within 30 days |
| <input type="checkbox"/> IDCB; refused or development standards placed upon agreement | <input type="checkbox"/> Building material order |
| <input type="checkbox"/> DCD decision refused or not made within 60 days | <input type="checkbox"/> Subdivision appeal |
| <input type="checkbox"/> Minor variance revoked, refusal or conditions | |

7. Summary of supporting facts (explain in detail the grounds the appeal is being made, identify sections of the official community plan and zoning bylaw that apply to this appeal, etc.)

As per letter of Denial

- accessory building size is 966m sq (1040 sq ft) contrary to the bylaw
- proposed addition is over the maximum allowable overall site and rear yard coverage
- accessory building rear site coverage of 42% contrary to the 35% prescribed by the city of Moose Jaw zoning bylaw
- principle dwelling and accessory building site coverage of 44% contrary to the 40% prescribed by the city of Moose Jaw zoning bylaw

8. Any additional information (provide any additional information that may support the appeal)

Addition will be built to blend in with the existing structure.

There are other oversized garages in this area.

9. Expectation of the Appeal (indicate action requested of the Board)

I request approval of the garage addition

10. Other Requirements

1. The application must include a basic fee of \$50 to help cover expenses relating to the appeal.
2. An agent must have written authorization if they are to act on the applicants' behalf at the appeal hearing.
3. Applicants must submit all evidence and materials in support of the related appeal to the secretary at least five days prior to the hearing. All evidence and support material provided to the secretary less than five days before the hearing will be dismissed by the board.
4. Until the hearing is complete and a decision has been issued, no binding contracts for the land should be made and no construction or site preparation should be started.

11. Authorization

I hereby swear that the information given on this form is full and complete and that all statements contained within this application are true.

Signature of Applicant

Date

WARREN BRISLIN.
Name (Printed)

For Office Use Only:

Appeal #: _____

Date Fee Paid: _____

Receipt #: _____