

**D.O.M. – August 20, 2019**  
**APPEAL NO. 10 of 2019**  
**C.O.D. – August 2, 2019**  
**\$50 paid**

# CITY OF MOOSE JAW

Office of the City Clerk/Solicitor

# APPLICATION FOR AN APPEAL BEFORE THE DEVELOPMENT APPEALS BOARD

**EMAIL, MAIL OR DELIVER THE COMPLETED FORM TO:**  
**Secretary, Development Appeals Board ([panderson@moosejaw.ca](mailto:panderson@moosejaw.ca))**  
**c/o City Clerk's Department, 2<sup>nd</sup> Floor**  
**228 Main Street North, Moose Jaw, SK S6H 3J9**

Under the provisions of Sections 213 to 227 of The Planning and Development Act, 2007, the undersigned hereby applies for an appeal before the Development Appeals Board of the City of Moose Jaw. **The required payment of \$50, being the application fee, is enclosed.**

**PLEASE FULLY ANSWER THE FOLLOWING QUESTIONS. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

1. Name: Sam Shaw - C & S Builders Ltd.
2. Address: 695 High St W
3. Property Address: 459 Lillooet Street West
4. Legal Description: Lot 1 & 2 Block 188
- Subdivision \_\_\_\_\_ Plan Old 96

**ANSWER QUESTIONS NUMBER 5 to 7, IF APPLICATION HAS BEEN MADE FOR A BUILDING PERMIT OR DEVELOPMENT PERMIT:**

5. Nature of Application (please mark with X where applicable)Ⓢ
- (a) New Construction X
- (b) Enlargement \_\_\_\_\_
- (c) Alteration \_\_\_\_\_
- (d) Repair \_\_\_\_\_
- (e) Detached Accessory Building X  
(Garage, Storage Shed, Etc.) \_\_\_\_\_

<p><b>RECEIVED</b>  <b>CLERK / SOLICITOR</b></p> <p><b>JUN 26 2019</b></p> <p><b>FILE NO.</b></p>		
<p><b>CHECKED BY</b></p>	<p><b>ROUTED TO</b></p>	<p><b>ATTN</b></p>

6. Use of Building

a garage to store antique and/or custom cars

7. Please attach a sketch showing what you intent to do, including:

- Lot Size
- Building Location on Lot
- Front Yard Setback from Property Line
- Rear Yard Setback from Property Line
- Side Yard Setback from Property Line
- Location of Garage or Other Accessory Buildings Including their setbacks

**ANSWER QUESTION NO. 8 IF APPLICATION HAS BEEN MADE FOR ANY REASON OTHER THAN A BUILDING PERMIT OR DEVELOPMENT PERMIT:**

8. Nature of Application:

(a) Present condition of building or structure does not comply with the Zoning Bylaw.

Please specify:

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(b) Other (Please Specify):

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9. Please provide relevant background information to your application. (Attach to the application if there is not enough space below.)

Our property has plenty of space to accomodate this garage and the owner collects custom cars and needs and indoor facility to store them.

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**10. Please outline the relief you are seeking from the Board.**

The garage currently exceeds the size limit for accessory outbuildings and therefore request approval being larger than the current bylaw allows.

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**THE DEVELOPMENT APPEAL:**

11. Your appeal, according to *The Planning and Development Act, 2007*, may only be allowed for the reasons (a) or (b) stated below: Please place an "X" beside either (a) or (b) below indicating under which section you feel your appeal should be allowed:

(a) \_\_\_\_\_ The Development Officer is alleged to have misapplied a Zoning Bylaw in issuing a Development Permit; or

(b) X \_\_\_\_\_ The Development Officer refuses to issue a Development Permit because it would contravene the Zoning Bylaw.

12. Pursuant to Section 221 of *The Planning and Development Act, 2007*, in determining an Appeal, the board hearing the appeal:

- (a) Is bound by an official community plan in effect;
- (b) Must ensure that its decisions conform to the uses of land, intensity of use and density of development in the zoning bylaw;
- (c) Must ensure that its decisions are consistent with any provincial land use policies and statements of provincial interest; and
- (d) May, subject to clauses (a) to (c), confirm, revoke or vary the approval, decision, any development standard or condition, or order imposed by the approving authority, the council or the development officer, as the case may be, or make or substitute any approval, decision or condition that it considers advisable if, in its opinion, the action would not:
- (i) grant to the applicant a special privilege inconsistent with the restrictions on the neighbouring properties in the same zoning district;
  - (ii) amount to a relaxation so as to defeat the intent of the zoning bylaw; or
  - (iii) injuriously affect the neighbouring properties.

June 26, 2019

DATE



SIGNATURE OF APPLICANT OR  
AUTHORIZED REPRESENTATIVE



