

Proposed Zoning Bylaw Text Amendment – Temporary Emergency Residential Shelters

APPLICATION SUMMARY

Administration has been approached by community groups who have expressed an interest in providing access to safe housing and/or temporary shelters, this winter, for those in need. This report outlines a proposed text amendment to Bylaw No. 8770, Zoning Bylaw, 2009 (Zoning Bylaw) to provide appropriate regulations for temporary Emergency Residential Shelters.

RECOMMENDATION

That City Council consider Administration's recommendation that the proposed text amendments to Bylaw No. 8770, Zoning Bylaw, 2009 to provide for temporary Emergency Residential Shelters, as outlined in this Report, be approved.

BACKGROUND

Ensuring adequate and safe shelter space is available for winter has become an urgent issue in Saskatoon. Interested community agencies have been in touch with Administration about options to create new temporary emergency shelters for this winter. A team from Fire, Planning and Development and Building Standards Departments, along with the Solicitor's Office has identified key considerations including measures to ensure the Zoning Bylaw, Building Bylaw, and life and fire safety regulations are met for any facility proposed as a temporary shelter.

Currently, the Zoning Bylaw does not provide for the temporary establishment of an emergency shelter. Text amendments are proposed to help respond to this growing community issue.

DISCUSSION

Proposed Amendments to the Zoning Bylaw

Administration is recommending a text amendment to the Zoning Bylaw to provide a definition for Emergency Residential Shelters. The use would be defined as a facility where emergency temporary lodging is provided with no charge to persons who are homeless, due to poverty or disaster, operated by a public or non-profit agency, and where on-site supervision and support services are provided at all times when such shelter is occupied.

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The proposal also includes an amendment to Section 5.0 General Provisions of the Zoning Bylaw to add a new subsection which provides regulations for the establishment and approval process for Emergency Residential Shelters. The new subsection would provide for Emergency Residential Shelters to be established on a temporary basis for no more than six months. The temporary shelters would be permitted in all areas of the city except in the following:

- 1) Low density residential land uses, such as One and Two-Unit Dwellings, Semi-Detached Dwellings and Street Townhouses, as those uses have current provisions for boarders;
- 2) IL2 - Limited Intensity Light Industrial District, IL3 - Limited Light Industrial District, IH - Heavy Industrial District, IH2 - Limited Intensity Heavy Industrial District;
- 3) Any specific site deemed unsuitable due to the impact of adjacent land uses deemed to create life safety issues; and
- 4) The Direct Control Districts, as the provisions for temporary uses contained in *The Planning and Development Act, 2007* do not apply to Direct Control Districts.

Parking would be subject to the approval of the Development Officer to ensure there is appropriate parking for staff and vehicles servicing the Emergency Residential Shelter. Appropriate access for emergency vehicles must also be provided.

To ensure the safe operation of the facility, onsite supervision and support services would be required whenever the shelter is occupied. The onsite supervision and support services would be the responsibility of the operator to arrange and supply.

A development permit would be required for the temporary use; however, there would be no application fee. The following information would be required to be submitted for review:

- 1) Applicant contact information;
- 2) Building/unit location;
- 3) Occupancy start date and anticipated end date;
- 4) Maximum number of people being accommodated;
- 5) Description of proposed operations which includes details on supervision, support programs, transportation, food services and any other relevant information;
- 6) Letter of authorization from registered property owner;
- 7) Site plan including location of building, hydrants and fire lanes;
- 8) Drawing of interior layout detailing location of sleeping areas and any temporary partitions or alterations. Drawings should also indicate locations of exits, emergency lighting, smoke and carbon monoxide detectors, fire extinguishers and washroom facilities;

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- 9) Fire safety plan; and
- 10) Confirmation of ventilation requirements and record of annual service of existing life safety systems.

The approval process would include a review of information submitted with the application to ensure the necessary operations are in place to provide supervision, transportation and support programs. A site inspection of the proposed building by Saskatoon Fire and Building Standards Departments will be undertaken to ensure necessary life safety requirements are in place prior to occupancy. Any public or non-profit agency looking to establish an Emergency Residential Shelter will be encouraged to meet with Administration to review the requirements and proposed sites prior to making an application.

Policy Review

Bylaw No. 9700, The Official Community Plan Bylaw, 2020, (OCP) includes an objective to encourage and support the provision of diverse and safe housing options. In addition, through the Innovative Housing Incentives Policy, the City of Saskatoon aims to work with community partners to collaboratively address homelessness in Saskatoon.

The Planning and Development Act, 2007, the provincial legislation which governs planning in Saskatchewan, provides for a zoning bylaw to “prescribe permitted uses or discretionary uses in the district for any limited time that may be fixed by the bylaw, and terms and conditions respecting the reissuance of a development permit” (Section 52(1)(d)). The proposed text amendments outlined in this report would establish time limits for Temporary Emergency Residential Shelters, in line with this provision of the Act.

Comments from other Divisions

The proposed amendments were discussed with the Building Standards Department and Saskatoon Fire who will play a key role in the review and evaluation of any application for emergency residential shelter to ensure any facility used meets appropriate life safety requirements.

COMMUNICATIONS AND ENGAGEMENT

The proposed amendments were discussed with the Saskatoon Tribal Council and The Lighthouse, to gain feedback on the recommended approach, based on their experiences. During these discussions it was identified that any facility would need appropriate supervision and support services during operation. It was also noted that while this type of facility may provide temporary shelter, it does not address the larger issues associated with homelessness. It was also recommended a strategy should be in place for housing or relocation for any person using the facility when the temporary permit expires.

The process for a typical Zoning Bylaw amendment involves a number of steps including public consultation and consideration by the Municipal Planning Commission, before advertising and then a Public Hearing at City Council. Considering the urgent needs of the current situation and what has been seen in other communities,

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Administration has proceeded with a process that did not include prior public consultation or consideration by the Municipal Planning Commission. However, the process meets all legal requirements to amend the Zoning Bylaw, which would include advertising as per the Public Notice Policy and then consideration at a Public Hearing.

If the amendment is approved, further evaluation and consultation may occur in 2022. At that time, the amendment's impact can be reviewed and further amendments could be pursued, if necessary, based on the outcomes through the winter of 2021.

PUBLIC NOTICE

Public notice is required for consideration of this matter, pursuant to Section 11(a) of Policy No. C01-021, Public Notice Policy. A notice has been placed in The StarPhoenix two weeks prior to the public hearing.

REPORT APPROVAL

Written by: Darryl Dawson, Manager, Development Review
Reviewed by: Lesley Anderson, Director of Planning and Development
Approved by: Lynne Lacroix, General Manager, Community Services

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