

BYLAW NO. 9790

The Zoning Amendment Bylaw, 2021 (No. 21)

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as *The Zoning Amendment Bylaw, 2021 (No. 21)*.

Purpose

2. The purpose of this Bylaw is to amend the Zoning Bylaw to address gaps in regulations and remove inconsistencies.

Zoning Bylaw Amended

3. The Zoning Bylaw No. 8770 is amended in the manner set forth in this Bylaw.

Section 2.0 Amended

4. Section 2.0 is amended:
 - (1) by adding “cantilevered” before “marquees” in the definition for “**site coverage**”; and
 - (2) by adding “, posts” after “columns” in the definition for “**balcony**”.

Section 4.0 Amended

5.
 - (1) Subclause 4.3.2(1) is amended by adding “, screen” after “fence” in paragraph (b); and
 - (2) Subclause 4.7.1(1) is amended by:
 - (a) repealing paragraph (a) and substituting the following:

““Standard Application” means an application for approval of any use listed in Section 4.7.2 (1) and the following discretionary uses:

Child Care Centres and Preschools
Boarding Houses
Community Centres (R and M Districts)
Private Schools
Converted Dwellings – Maximum four dwelling units
Multiple-unit Dwellings – Maximum four dwelling units
Convents and Monasteries – Type I and II
Hostel – Type I
Special Needs Housing – Maximum six dwelling units
Expansion of existing Residential Care Homes
Live/Work Units – Maximum four units
Boarding and Breeding Kennels”;

- (b) striking out “In this subsection,” in paragraph (b); and
- (c) striking out “In this subsection, all” in paragraph (c) and substituting “All”.

- (3) Subclause 4.7.2 is repealed and the following substituted:

“4.7.2 Discretionary Use Application Process

- (1) In accordance with Section 15 of The Planning and Development Act, 2007, the Development Officer is responsible for exercising and carrying out the duties and responsibilities in reviewing and considering the following discretionary uses:

Boarding Houses in the RM1 and M1 Districts
Child Care Centres and Preschools in all Districts except the R1, R1A, R1B, R2, R2A, RMHC, RMHL, RMTN, and RMTN1 Districts
Adult Day Cares – Type I and Type II
Special Needs Housing Residential Care Homes – Type II on Pre-designated Sites
Residential Uses and Live/Work Units in the MX1 District
Short-term Rental Property
Microbrewery -Type I
Special Care Homes and Residential Care Homes – Type II and Type III in the B1B Districts
Agricultural Research Stations
Convenience Stores in connection with service stations or car washes in the IB District

Car washes in the IB District
Passenger vehicle storage in the FUD District
Places for Worship in the RMTN and RMTN1 Districts
Recreational vehicle and equipment storage in the
FUD District
One-unit dwellings
Two-unit dwellings
Semi-detached dwellings

- (2) The following procedures shall apply to discretionary use applications:
- (a) Applicants must file with the Community Services Department the prescribed application for, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees.
 - (b) The application will be examined by the Community Services Department for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations.
 - (c) Notification will be provided to assessed property owners and the community association as set out in Bylaw 8171, Public Notice Policy Bylaw, 2003.
 - (d) Council or the Development Officer shall consider the application together with any written or verbal submissions received.
 - (e) Council or the Development Officer may:
 - i) reject the application;
 - ii) approve the application with conditions, including a condition limiting the length of time that the use may be conducted on the site; or
 - iii) approve the application without conditions.
 - (f) The City Clerk or the Development Officer shall notify the applicant of the decision by ordinary mail addressed to the applicant at the address shown on the application form.

- (g) For decisions made by the Development Officer, the applicant may, within 30 days after the date of the written decision, apply to Council to review and confirm or alter the decision of the Development Officer.”

Section 5.0 Amended

6. (1) Clause 5.7(3) is amended by:

(a) Repealing subclause (e) and substituting the following:

“(e) take into account the following when determining the total floor area of detached accessory buildings:

- i) in calculating the main floor of the principal building, the area of an attached garage shall be excluded;
- ii) the area of the attached garage and the total floor area of all detached accessory buildings shall not exceed the building floor area of the principal building;
- iii) the cumulative gross area of detached accessory buildings or structures which:
 - a. shall not exceed the floor area of the principal dwelling or 54m², and shall not exceed the floor area of the principal dwelling exclusive of attached garage, above grade whichever is greater; and
 - b. shall not have a total floor area exceeding 87m².”

(b) adding “for corner sites” at the beginning of subclause (g).

(2) Clause 5.8(1) is amended by:

(a) adding “and a landing with a maximum area of 2.5m²” after “level” in subclause (a);

(b) striking out “.” and substituting “;” at the end of subclause (b);

(c) adding the following subclause after subclause (b):

“(c) accessibility ramps and wheelchair lifts.”

- (3) Clause 5.8(2) is amended by:
 - (a) striking out “0.4” and substituting “0.6” in subclause (b);
 - (b) striking out “0.4” and substituting “0.6” in subclause (d); and
 - (c) adding “cantilevered” at the beginning of subclause (e).
- (4) Clause 5.8 (3) is amended by:
 - (a) adding “cantilevered” at the beginning of subclause (c); and
 - (b) adding “and courts” after “recreational equipment” and striking out “and tennis courts” in subclause (g).
- (5) Clause 5.8(4) is amended by:
 - (a) adding “cantilevered” before “canopies” in subclause (b); and
 - (b) adding “and courts” after “recreational equipment” and striking out “and tennis courts” in subclause (e).
- (6) Clause 5.11(3) is repealed.
- (7) Clause 5.13(3) is amended by striking out “, B6,”.
- (8) Subclause 5.29(3)(e) is repealed and the following substituted:
 - “(e) Parking shall be required as follows, to the satisfaction of the Development Officer:
 - (i) one off-street parking space shall be required for a non-resident employee and at least one off-street parking space shall be required for the principal dwelling;
 - (ii) due to the nature of the business or the site, additional off-street parking spaces may be required to maintain the residential character of the area;
 - (iii) may be located in a required front yard;
 - (iv) tandem parking spaces may be permitted; and
 - (v) sited, delineated, screened and located on a surfaced parking area consisting of gravel, asphalt, or concrete.”

(9) Subclause 5.30(1)(g) is repealed and the following substituted:

“(g) Parking shall be required as follows, to the satisfaction of the Development Officer:

- (i) one off-street parking space shall be required for a secondary suite in addition to at least one off-street parking space for the principal dwelling;
- (ii) the parking space for the principal dwelling may be located in a required front yard;
- (iii) the parking space for the secondary suite shall not be located in a required front yard unless the subject site has no access to a rear lane; and
- (iv) sited, delineated, screened and located on a surfaced parking area consisting of gravel, asphalt or concrete.”

(10) Subsection 5.43 is amended by:

(a) repealing subclause (9)(a) and substituting the following:

“(a) All parking shall be sited, delineated, screened and located on surfaced parking area consisting of gravel, asphalt or concrete to the satisfaction of the Development Officer.”

(b) repealing clause (11) and substituting the following:

“(11) The main entrance of a garden and garage suite should be directly accessible and visible from the lane where a lane exists, when suitable.”

(11) The following subsections are added after subsection 5.54:

“5.55 Screening

- (1) Except in I, AG and FUD Districts all mechanical equipment including roof mechanical units shall be concealed by screening in a manner compatible with the architectural character of the building or by incorporating it within the building.
- (2) The erection or placement of a free standing privacy screen or similar structure shall:

- (a) In a side yard, comply with the height and setback requirements of each district as if the structure were a building.
- (b) In a rear yard, comply with the following:
 - (i) maximum height of 4 metres;
 - (ii) minimum rear yard setback of 1.2 metres; and
 - (iii) minimum side yard setback of 0.75 metres.
- (3) Waste and recycling pick-up areas within any R, B, M or MX district shall be screened from any public street with landscaping or fencing to the satisfaction of the Development Officer.

5.56 Development in Proximity to Rail Lines

Development in proximity to rail lines or rail yards should be consistent with the Guidelines for New Development in Proximity to Railway Operations prepared for the Federation of Canadian Municipalities and the Railway Association of Canada.”

Section 6.0 Amended

- 7. (1) Clause 6.1(4) is amended by adding “MX1,” before “B5” and adding “, B5B, B5C” after “B5”.
- (2) Subclause 6.2(2)(a) is amended by adding the following after “vehicle loads.”:

“Hard surfacing may include permeable, or porous, pavements capable of withstanding expected vehicle loads including porous asphalt, porous concrete, permeable unit pavers and open grid pavers. Permeable pavement is not permitted for gas bars, service stations, public garages, trucking terminals and similar uses with potential ground contamination or in heavy industrial districts.”
- (3) Subclause 6.3.1(2) is amended by striking out “or outer edge of a balcony” after “entrance”.
- (4) Subclause 6.3.2(2) is amended by striking out “, the outer edge of a balcony,” after “entrance”.

- (5) Clause 6.3.3 is amended by:
- (a) adding the following after subclause (5):

“(5.1) No off-street parking is required in the B6 District.”
 - (b) The chart contained in subclause (6) is amended by:
 - (i) striking out “B5, B5B, B5C and B6 Districts” in the third column of the heading above Adult day care Centres - Type I & II and substituting “B5, B5B and B5C Districts”;
 - (ii) striking out “in the B5, B5B and B5C District. No parking is required for Adult day care Centres - Type I & II in the B6 District.” after “facility” in the third column for “Adult day care Centres – Type I & II”;
 - (iii) striking out “No parking is required for Boarding apartments in the B6 District.” in the third column for “Boarding apartments”;
 - (iv) striking out “B5, B5B, B5C and B6 Districts” in the third column of the heading above “Boarding houses” and substituting “B5, B5B and B5C Districts”;
 - (v) striking out “No parking is required for Boarding Houses in the B6 District.” in the third column for “Boarding houses”;
 - (vi) striking out “in the B5, B5B and B5C District. No parking is required for Custodial care facilities - Type I, II and III in the B6 District.” after “facility” in the third column for “Custodial care facilities - Type I, II and III”;
 - (vii) striking out “B5, B5B, B5C and B6 Districts” in the third column of the heading above “Hotels or motels” and substituting “B5, B5B and B5C Districts”;
 - (viii) striking out “No parking is required for multiple-unit dwellings in the B6 District.” in the third column for “Multiple-unit dwellings”;
 - (ix) striking out “B5, B5B, B5C and B6 Districts” in the third column of the heading above Places of worship and substituting “B5, B5B and B5C Districts”;

- (x) striking out “No parking is required for residential care homes in the B6 District.” in the third column for “Residential care homes – Type II and III” and substituting “No parking requirements.”;
 - (xi) striking out “No parking is required for special care homes in the B6 District.” in the third column for “Special care home” and substituting “No parking requirements.”;
 - (xii) striking out “No parking is required for special needs housing in the B6 District.” After “B5 District.” in the third column for “Special needs housing”.
- (6) Clause 6.4(1) is amended by adding “MX1,” before “B5” and adding “, B5B, B5C” after “B5”.

Coming Into Force

8. This Bylaw comes into force on the day of its final passing.

Read a first time this	day of	, 2021.
Read a second time this	day of	, 2021.
Read a third time and passed this	day of	, 2021.

Mayor

City Clerk