

Comprehensive Zoning Bylaw Review – Amendment Package Three

APPLICATION SUMMARY

A Comprehensive Review of the Zoning Bylaw Project (Project) is being undertaken to align the Zoning Bylaw with identified strategic priorities, current trends, changes to provincial legislation and to make minor amendments. This report is the third package of proposed amendments being undertaken as part of the Project. The proposed amendments address a range of topics identified during the information gathering phase.

RECOMMENDATION

That a copy of this report be submitted to City Council recommending that at the time of the public hearing, City Council consider Administration's recommendation that the proposed amendments to Bylaw No. 8770, Zoning Bylaw, 2009, as outlined in this report, be approved.

BACKGROUND

The general scope of the Project will, through new and amended regulations, bring Bylaw No. 8770, Zoning Bylaw, 2009 (Zoning Bylaw) into alignment with relevant City of Saskatoon (City) strategies and plans to reflect and balance community values, industry needs and to support and manage city growth. The proposed Zoning Bylaw amendments are being managed through a series of amendment packages staged out over the course of the Project. At its May 25, 2020 and April 26, 2021 meetings respectively, City Council approved amendment packages one and two. Additionally, a new Development Applications Fee Bylaw and amendments for the Architectural Control Districts Design Review Committee have been approved through this Project. A project update is provided in Appendix 1.

DISCUSSION

Proposed amendments of the Zoning Bylaw in this package include:

- A comprehensive update to the Landscaping Provisions;
- Amendments to the General Administration, General Provisions and Required Parking, Loading and Vehicular Circulation Sections of the Bylaw; and
- Amendments to specific zoning districts.

These proposed amendments, if adopted, will achieve several outcomes which are supportive of approved strategies and plans and the City's strategic goals, including:

- 1) Implement sustainable development practices including allowing for alternative landscaping options as well as permeable pavement options;
- 2) Implement policies and recommendations from the Official Community Plan and City Centre Plan;

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- 3) Reduce the number of applications requiring consideration by City Council by delegating approval to Administration where the basis for approval is based on technical factors;
- 4) Delegate approval of applications to Administration in Regional Commercial Direct Control Districts; and
- 5) Addressing matters within the General Provisions and specific zoning districts which will improve consistency of interpretation and application.

Proposed Amendments to Zoning Bylaw – Landscaping Provisions

A thorough revision to the provisions regulating landscaping is being proposed, including changes to the regulations in the Zoning Bylaw as well as supporting Landscaping Guidelines. The Official Community Plan, Low Emissions Community Plan and Green Infrastructure Strategy provide direction to develop requirements which address sustainable practices including providing for low water landscaping options. Proposed regulations and rationale for the landscaping provisions are contained in Appendix 2.

Additional supporting information regarding landscaping regulations is being developed through a re-write of the Landscaping Guidelines. The Guidelines are a companion to the Zoning Bylaw regulations and will be available to the public to support implementation of the landscaping regulations.

Proposed Amendments to Definitions, General Administration, General Provisions and Parking and Loading

Amendments are proposed for Sections 2, 4, 5 and 6 of the Zoning Bylaw including:

- 1) Definitions for balcony and site coverage;
- 2) Developments not requiring a development permit;
- 3) Discretionary uses;
- 4) Detached Accessory Buildings and Structures;
- 5) Permitted Obstructions in Required Yards;
- 6) Fence Height in the Downtown Commercial (B6) District;
- 7) Clarify the materials which may be used for a parking space for a Secondary Suite;
- 8) Remove the requirement for hard surfaced parking for Home Based Businesses and Garden and Garage Suites to align with the approach for Secondary Suites;
- 9) Clarify the requirement for the location of the main entrance for Garden and Garage Suites;
- 10) Add a new section for Development in Proximity to a Rail Line;
- 11) Add a new section for screening including provisions for privacy screens ;
- 12) Clarify that the hard surfacing requirement can include both permeable and impermeable options;
- 13) Parking separation from outer edge of balcony;

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- 14) Allow for remote parking in MX1 (Mixed Use), B5B (Broadway) and B5C (Riversdale) Districts; and
- 15) Consistent with the City Centre Plan, clarify there are no off-street parking requirements in the Downtown Commercial (B6) District.

These amendments were put forward by stakeholders or were identified by Administration and are intended to address policy gaps, improve flexibility and remove inconsistencies from the above-mentioned sections in the Zoning Bylaw. Details of the proposed amendments and rationale are outlined in Appendix 3.

Proposed Amendments to Zoning Districts

Proposed amendments to Zoning Districts are intended to address gaps, improve flexibility, and remove inconsistencies. Explanations of proposed amendments and the rationale for each District are outlined in Appendix 4.

Residential Zoning Districts

Amendments are proposed to the Residential Zoning Districts as follows:

- Allow Garden and Garage Suites as a permitted use where they are currently discretionary;
- Add Ambulance Stations as a discretionary use in the RM5 (High Density Multiple-Unit) District; and
- Allow for a Gross Floor Space Ratio of 1.5:1 in the RM4 District in all areas of the city subject to a review of servicing capacity.

A Technical Advisory Committee (TAC) was formed in February 2020, to provide industry advice to Administration on potential amendments to the Zoning Bylaw for the RMTN / RMTN1 Districts. The committee consists of builders, land developers, designers and architects, as well as the Saskatoon & Region Home Builders' Association. Administration has concluded meetings with the TAC as the review of the RMTN and RMTN1 Districts has been completed. Amendments to these Districts have also been included in previous amendment packages.

Amendments proposed to the RMTN and RMTN1 (Townhouse) Districts in this package are as follows:

- 1) Reduce the side yard setback for semi-detached dwellings;
- 2) Allow for street-facing units within a dwelling group to have a reduced front or side yard setback;
- 3) Allow Street Townhouses to have front driveway access where there is a rear lane, provided acceptable landscaping is developed. Currently, where there is a lane, front driveway access is not permitted;
- 4) Add one-and two-unit dwellings as a permitted use;
- 5) Add ambulance stations as a discretionary use; and
- 6) Other amendments required for clarity and consistency for these Districts.

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Places of worship will also be added to the RMTN1 District as a discretionary use for consistency with the RMTN district.

In addition to proposed amendments, Administration undertook a proactive review to investigate the potential for rezoning sites from RMTN to RMTN1 in certain circumstances. This change would allow for an increase in height and density for applicable sites. This review included developing criteria, identifying potential sites and undertaking a technical review of sites for which the Administration would support rezoning to RMTN1. The criteria for rezonings of this nature are:

1. Sites must be located on a collector or arterial street; and
2. Sites must not share a property line with a low-density residential zoning district.

While the Administration has identified criteria and sites for which rezoning from RMTN to RMTN1 would be supported, developers would be required to go through the rezoning process for these sites, including any required community consultation.

Institutional Zoning Districts

Amendments are proposed to add parking stations as a permitted use in the M4 (Core Area Institutional Service) District.

Commercial Zoning Districts

Amendments are proposed to the Commercial Zoning Districts as follows:

- Allowing larger retail / restaurant development in B1B (Neighbourhood Commercial – Mixed Use) District subject to certain requirements;
- Clarification amendments in B5B (Broadway) District;
- Amendments to B6 (Downtown) District consistent with the City Centre Plan.

Direct Control Districts

Amendments are also proposed to the Regional Commercial Direct Control Districts to delegate approval to Administration (DCD3 – Preston Crossing, DCD5 - Stonebridge and DCD6 - Blairmore).

Policy Review

Proposed amendments in this report conform to Bylaw No. 9700, The Official Community Plan, 2020 (OCP) policies as required by *The Planning and Development Act, 2007*.

Comments from other Departments

Proposed amendments were circulated to affected departments through an internal review process and no concerns were raised.

COMMUNICATIONS AND ENGAGEMENT

The Public Engagement Summary for the proposed amendments for landscaping are found in Appendix 5. The Public Engagement Summary for the remaining proposed

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amendments can be found in Appendix 6. Communications will be developed to communicate changes to all affected stakeholders.

PUBLIC NOTICE

Public notice is required for consideration of this matter, pursuant to Section 11(a) of Policy No. C01-021, Public Notice Policy.

Once this application has been considered by the Municipal Planning Commission, it will be advertised in accordance with Policy No. C01-021, Public Notice Policy and a date for a public hearing will be set. A notice will be placed in The StarPhoenix two weeks prior to the public hearing.

APPENDICES

1. Zoning Bylaw Review Project Update
2. Proposed Amendments to Landscaping Provisions
3. Amendments to Definitions, General Administration, General Provisions and Required Parking, Loading and Vehicular Circulation Provisions Sections
4. Proposed Amendments to Zoning Districts
5. Public Engagement Summary – Summary for Appendix 2
6. Public Engagement Summary – Summary for Appendix 3 and 4

REPORT APPROVAL

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