

## Zoning Bylaw Text Amendment – Addition of In-Ground Swimming Pools in the Riverbank Slope Overlay District

### APPLICATION SUMMARY

The proposed text amendment to Bylaw No 8770, Zoning Bylaw, 2009 (Zoning Bylaw) will provide for the construction of in-ground swimming pools within the Riverbank Slope Overlay District (Overlay District), subject to a site-specific geotechnical review demonstrating a Factor of Safety (FOS) of 1.5 for the proposed development, a seepage analysis to present impact of a leak on the groundwater and FOS, and demonstrated leak mitigation provisions.

### 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 text amendments to Bylaw No. 8770, Zoning Bylaw, 2009 to provide for in-ground swimming pools within the Riverbank Slope Overlay District, as outlined in this report, be approved.

### BACKGROUND

City Council, at the Public Hearing, held on December 16, 2019, approved amendments to Bylaw No. 9700, The Official Community Plan, 2020 (OCP) and Zoning Bylaw, to provide policy and regulations for development of specific sites adjacent to the South Saskatchewan River. The approved regulations provided for the creation of the Overlay District which contains development standards for development within the area while maintaining the integrity of the riverbank. Following the Public Hearing, City Council requested Administration provide further options to consider adding regulations for the development of in-ground swimming pools in the Overlay District.

At the March 8, 2021 and April 12, 2021 meetings of the Standing Policy Committee on Planning, Development and Community Services, a report from Administration was presented which identified three options for consideration of the development of in-ground swimming pools in the Overlay District. The options incorporate different strategies to manage risks present within the Overlay District, to both property owners and the City of Saskatoon (City); a copy of the report is included in Appendix 1. The Standing Policy Committee on Planning, Development and Community Services resolved that Option 2 outlined in the report, to permit in-ground swimming pools with site-specific geotechnical review and engineered design and no monitoring, be recommended to City Council.

City Council, at their April 26, 2021 meeting resolved, in part:

“That Option 2 – Permit In-Ground Swimming Pools with Site Specific Geotechnical Review and Engineered Design – No Monitoring.”

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### **DISCUSSION**

#### Proposed Amendments to the Zoning Bylaw

Swimming pools are currently defined in the Overlay District as “an artificially created basin, lined with concrete, fibreglass, vinyl or similar material, intended to contain water for the use of persons for swimming, diving, wading or other similar activity, which is at least 600 millimetres in depth.” Above-ground swimming pools are currently permitted in the Overlay District; however, in-ground swimming pools are prohibited.

The Riverbank Slope Overlay District is divided into two zones of development. The proposed text amendment to the Zoning Bylaw would provide for in-ground swimming pools in both zones. The proposed amendment would require applications for an in-ground swimming pool in the Overlay District to include a report, prepared by a professional geotechnical engineer licensed to practice in the Province of Saskatchewan, which provides a site-specific geotechnical review demonstrating an engineered design to a FOS of 1.5 for the proposed development, a seepage analysis to present impact of a leak on the groundwater and FOS, and demonstrated leak mitigation provisions. Monitoring of any leaks would be the responsibility of the property owner and no monitoring would be undertaken by the City.

#### Policy Review

Section E2.6 – Riverbank Stewardship of the OCP includes an objective to facilitate appropriate development, while maintaining the integrity of the riverbank of the South Saskatchewan River. The proposed text amendments to the Zoning Bylaw would provide regulations for in-ground swimming pools in the Overlay District that will maintain the integrity of the riverbank.

### **COMMUNICATIONS AND ENGAGEMENT**

Administration consulted with local geotechnical and structural engineers, swimming pool contractors and homeowners who spoke at the December 2019 City Council Public Hearing on the options for adding regulations for the development of in-ground swimming pools in the Overlay District. General support was expressed for Option 2 outlined in Administration’s Report (see Appendix 1), to permit in-ground swimming pools with site specific geotechnical review and engineered design with no monitoring.

Notice of the proposed amendment will be provided to property owners within the Overlay District and to local geotechnical and structural engineers and swimming pool contractors. The Riverbank Overlay District page on the City’s website will also be updated.

### **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

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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. Riverbank Overlay District – Review of In-Ground Swimming Pools

### **REPORT APPROVAL**

Written by: Darryl Dawson, Development Review Section Manager  
Reviewed by: Lesley Anderson, Director of Planning and Development  
Approved by: Kara Fagnou, Acting General Manager, Community Services

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