

Saskatoon Tribal Council Wellness Centre Extension Request for 145 – 1st Ave North

ISSUE

The Standing Policy Committee on Planning, Development and Community Services received a request from the Saskatoon Tribal Council (STC) at their April 12, 2022 meeting to extend the lease of the Emergency Wellness Centre located at 145 - 1st Avenue North for up to one additional year from May 1, 2022 to April 30, 2023.

RECOMMENDATIONS

1. That City Council approve an extension of the lease up to June 15, 2022 with Saskatoon Tribal Council for approximately 18,400 square feet of floor space at 145 – 1st Avenue North, ISC Parcel No. 120164206, for the purpose of providing a Temporary Emergency Residential Shelter; and
2. That the City Solicitor be requested to prepare the appropriate agreements and that His Worship the Mayor and the City Clerk be authorized to execute the agreements under the Corporate Seal.

BACKGROUND

The STC's Emergency Wellness Centre (Wellness Centre) is located in a City-owned building at 145 - 1st Avenue North and was approved as a Temporary Emergency Residential Shelter, under Bylaw No. 8770, Zoning Bylaw, 2009 (Zoning Bylaw). The Zoning Bylaw provides for a Temporary Residential Emergency Shelter to be established for a period of no longer than 6 months within a 12-month period. The Wellness Centre was issued approval on December 15, 2021, with expiry on April 30, 2022. The current lease with the STC for the space at 145 1st Avenue North is set to expire April 30, 2022. Under the current Zoning Bylaw provisions, the Wellness Centre could be extended to June 15, 2022, subject to the lease being extended.

At its meeting on April 12, 2022, upon consideration of correspondence (Appendix 1) from the STC to extend use of the Wellness Centre at 145 1st Avenue North, the Standing Policy Committee on Planning Development and Community Services resolved that the correspondence be referred to the Administration for a report to be presented at the April 25, 2022 Regular Business meeting of City Council.

DISCUSSION

Land Use and Zoning Considerations

To extend the development permit for the Wellness Centre to the maximum of six months, up to June 15, 2022, an extension/re-negotiation of the lease with STC would be required. This would be treated as an extension of the current operations and no further National Building Code or City Bylaw related reviews or inspections would be required.

To provide for a Temporary Emergency Residential Shelter (Temporary Shelter) to exist for longer than six months, an amendment to the Zoning Bylaw would be required. As a Temporary Shelter is to provide temporary living accommodations and may occur in zoning districts that would not typically provide for residential uses, a text amendment to extend this type of use would need to include language that ensures the temporary nature of the use is confirmed and provide a definitive end date to the use.

The Administration has evaluated legislation and has determined that Council, should they choose to do so, could extend the temporary use to 18 months provided certain conditions are met and that there is a definitive end date to the temporary use that cannot be extended. A longer time period would not be considered a temporary use under planning principles. Extending the temporary period beyond the original six months is anticipated to cause concern from stakeholders and nearby property owners and businesses.

Building Code Considerations

Building Standards role is the issuance of an occupancy permit for Temporary Shelters. As a temporary use, this request may be approved through an occupancy inspection. The purpose of the occupancy inspection is to ensure life safety requirements within the building are met for a temporary use and as such, full compliance with the Code/ Building Bylaw is not required. It takes into consideration the requirement in the Zoning Bylaw that there will be 24-hour supervision in the building.

It is possible to extend the temporary use provided the existing life safety requirements are maintained including 24-hour supervision and that there is an end date to the temporary use.

Lease Extension Considerations

The existing lease with STC expires on April 30, 2022. Administration is recommending the lease be extended to June 15, 2022, which is consistent with the current six-month limit for Temporary Shelters in the Zoning Bylaw.

If City Council wants to consider the request of STC for a year extension to April 30, 2023 a motion would be required as follows:

“That the Administration be directed to bring forward an amendment to the Zoning Bylaw to accommodate an extension beyond the existing regulations in

the Zoning Bylaw to be considered at the May 24, 2022 Public Hearing Meeting of City Council.”

If Administration is directed to proceed as outlined above, a report regarding possible terms for the lease extension would need to come forward to City Council for consideration prior to June 15, 2022 after Council has considered the Zoning Bylaw amendment at the May 24, 2022 Public Hearing Meeting of City Council.

FINANCIAL IMPLICATIONS

The total estimated costs incurred by the City to accommodate the use of the 145 1st Avenue North space for a Temporary Shelter from December 15th, 2021 through April 30th, 2022 is \$143,000.

Administration has estimated that the monthly cost to extend the Wellness Centre use of the building is \$21,400 per month (\$252,000 a year) based on \$11,400 of City external lease costs being occurred elsewhere by departments that were initially planned to be relocated to the building and \$10,000 for utilities, maintenance, and other property expenses

The funding model for 145 1st Avenue North included allocating \$213,500 of the parking, internal and external lease revenue to annual repayments of the Property Realized Reserve (PRR) which was originally used for the purchase. If an extension is approved, the repayment of PRR will continue to be deferred in order to offset the additional costs as much as possible. If costs exceed the available PRR repayment budget of \$213,500 this will be an unbudgeted spend within the operating budget and reported out along with other variances at year-end.

OTHER IMPLICATIONS

Administration has been made aware of a number of nuisance complaints from the downtown community regarding the temporary shelter operating at 145 1st Avenue North. The nature of the complaints include: an increase in litter and waste, illicit public drug use, graffiti, and property damage/vandalism.

NEXT STEPS

With approval of the first recommendation, Administration can extend the existing Development and Occupancy Permits until June 15, 2022.

If directed to bring forward amendments to the Zoning Bylaw, a subsequent report will be brought back to City Council's May 25, 2022 meeting.

APPENDICES

1. Request for Extension April 2022
2. Confidential – Solicitor/Client Privilege

Report Approval

Written by: Lesley Anderson, Director of Planning and Development
Frank Long, Director of Saskatoon Land
Jodi Manastyrski, City Solicitor's Office

Reviewed by: Clae Hack, Chief Financial Officer
Morgan Hackl, Fire Chief, Saskatoon Fire

Approved by: Jeff Jorgenson, City Manager

Admin Report - Saskatoon Tribal Council Wellness Centre Extension Request for 145 – 1st Ave North.docx