

Proposed Zoning Bylaw Text Amendment – Time Limit for Emergency Residential Shelters

APPLICATION SUMMARY

[Bylaw No. 8770, Zoning Bylaw, 2009](#) (Zoning Bylaw) currently limits the establishment of an Emergency Residential Shelter to a maximum of six months in a 12-month period at an approved location. The proposed amendment will provide for an Emergency Residential Shelter to be approved for up to 18 months, based on the temporary nature and demonstrated need of the use.

RECOMMENDATION

That City Council consider Administration's recommendation that the proposed text amendments to Bylaw No. 8770, Zoning Bylaw, 2009 to provide for an Emergency Residential Shelter to be located at an approved location for a period of up to 18 months, as outlined in this report, be approved.

BACKGROUND

At the Public Hearing on November 22, 2021, City Council approved an amendment to the Zoning Bylaw to add a definition and general regulations for Emergency Residential Shelters. The amendment provided for temporary shelters to be set up in emergency situations, in a safe and controlled environment, for a period of no longer than six months within a 12-month period.

The Saskatoon Tribal Council (STC) Emergency Wellness Centre, located at 145 1st Avenue North, was approved as an Emergency Residential Shelter on December 15, 2021, with expiry on April 30, 2022. At its meeting on April 25, 2022, City Council considered a report from Administration and correspondence from the STC requesting an extension of the operation of their Emergency Wellness Centre to April 30, 2023, and resolved in part:

“That the Administration 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. That these amendments be drafted to accommodate up to the full extension requested to April 30, 2023”.

DISCUSSION

Proposed Amendments to the Zoning Bylaw

An Emergency Residential Shelter is 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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As per Section 5.54(1) of the Zoning Bylaw, a development permit for an Emergency Residential Shelter is limited to a maximum of six months in a 12-month period at an approved location.

The proposed text amendment to the Zoning Bylaw would provide for a development permit to be approved for a period of not more than 18 months, subject to City Council approval. As Emergency Residential Shelters may be located in areas of the city where residential uses are not typically provided, Administration is recommending that City Council approval be required to provide due consideration of impact on neighbouring properties and opportunity for public input. Approval would be for a determined length of time, up to a total of 18 months and may be incremental. For example, City Council may approve an Emergency Residential Shelter for nine months and upon receipt of an application to extend the operation, may approve for an additional nine months at the same location.

The general regulations for Emergency Residential Shelters would also be amended to require an application to include information to support the temporary nature and demonstrated need for the use. The temporary nature and demonstrated need will be evaluated on the circumstances specific to each application.

Policy Review

[Bylaw No. 9700, 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 contain provision that:

“may 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 Emergency Residential Shelters, in line with this provision of *The Planning and Development Act, 2007*.

Comments from other Divisions

The proposed amendments were previously 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 process for a typical Zoning Bylaw amendment involves several steps including public consultation and consideration by the Municipal Planning Commission before advertising, and then a Public Hearing at City Council. Considering the urgent need for

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the amendment, 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 includes advertising as per the Public Notice Policy, with consideration at a Public Hearing.

Zoning Bylaw amendments for Emergency Residential Shelters that were adopted on November 22, 2021 also proceeded directly to a Public Hearing without consultation by the Municipal Planning Commission. To ensure further review of the amendments and consideration by the Municipal Planning Commission, following the Public Hearing on November 22, 2021 City Council did resolve:

“That Administration report back on emergency residential shelters, and any necessary consultation with Municipal Planning Commission's review by September 2022.”

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 was 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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