

# BYLAW NO. 9900

## The Zoning Amendment Bylaw, 2023 (No.10)

The Council of the City of Saskatoon enacts:

### Short Title

1. This Bylaw may be cited as *The Zoning Amendment Bylaw, 2023 (No.10)*.

### Purpose

2. The purpose of this Bylaw is to amend the Zoning Bylaw to:
  - (a) update regulations to the B4MX District;
  - (b) update regulations related to environmental initiatives;
  - (c) update regulations related to grade, building height and dormers;
  - (d) update regulations related to garden and garage suites.

### 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 striking out “by incorporating” after “street” in the definition of “**active frontage**” and substituting “and may incorporate”;
  - (2) by adding “that” after “facades” in subsection (v) in the definition of “**active frontage**”;
  - (3) by striking out “should be” in subsection (viii) in the definition of “**active frontage**” after “internal uses” and adding “that” after “sidewalk or”;
  - (4) by adding the following after the definition of “**election sign**”:

“**electrical vehicle charging station**” means a parking space that is served by battery charging station equipment where the primary purpose is

the transfer of electrical energy to a battery or other energy source device in an electrical vehicle.”;

- (5) by adding “electrical vehicle charging stations” after “convenience store or” in the definition of “**gas bar**”;

- (6) by repealing the definition of “**grade level**” and substituting the following:

“**grade level**” means the level of the finished surface of the ground adjacent to the exterior walls of the building or structure, not including any artificial grade alterations such as embankments, depressions or berming.”;

- (7) by adding the following after the definition of “**parking, surface**”:

“**passive solar building**” means a building constructed with a combination of design features and building components that utilize solar energy to reduce or eliminate the need for mechanical heating and cooling and daytime artificial lighting.”;

- (8) by striking out “and” after “convenience stores,” in the definition of “**service station**”;

- (9) by striking out “.” at the end of the first sentence in the definition of “**service station**” and substituting “and electrical vehicle charging stations.”; and

- (10) by adding the following after the definition of “**wholesale establishment**”:

“**xeriscaping**” means a landscaping technique that focuses on water conservation while creating lush, colourful, and unique landscapes with native or naturalized drought resistant species.”.

## **Section 5.0 Amended**

5. (1) Clause 5.7(9) is amended by adding “solar panel,” after “solar collector” in the opening sentence.
- (2) Subclause 5.8(2)(c) is amended by adding “and where eaves are part of a passive solar building, eaves may project a maximum of 1.5 metres into a required front yard” after “front yard”.

- (3) Subclause 5.8(4)(c) is amended by adding “and where eaves are part of a passive solar building, eaves may project into the required side yard” after “side yard”.
- (4) Clause 5.11(1) is amended:
  - (a) by striking out “and” at the end of subclause (f);
  - (b) by striking out “.” at the end of subclause (g) and substituting “; and”;
  - (c) by adding the following after subclause (g):
    - “(h) solar panels;
    - (i) in the case of one-unit dwellings, two-unit dwellings and semi-detached dwellings, a dormer that is considered an architectural feature, covers internal stairs or has an interior height of less than 2.1 metres.”; and
  - (d) by adding the following after clause (3):
    - “(4) To determine building height in the case of one-unit dwellings, two-unit dwellings, semi-detached dwellings and street townhouses with a walk out basement, grade level shall be calculated as being the average elevation of the finished surface of the ground adjacent to the front of the building not including any artificial grade alterations.”
- (5) Subsection 5.43 is repealed and substituted as set out in the attached Appendix “A” to this Bylaw.

### **Section 6.0 Amended**

6. (1) Subsection 6.2 is amended by adding the following after clause (2):
  - “(3) Parking spaces provided as an electrical vehicle charging station will be included in the calculation of parking requirements.
  - (4) Changes in use to permitted or discretionary use for the adaptive re-use of an existing building proposed in an Established Neighbourhood shall be exempt from section 6.1(3).”
- (2) Subclause 6.3.7(1) is amended by striking out “7.0” and substituting “3.0”.

- (3) The chart contained in subclause 6.3.7(4) is amended striking out “30” wherever it appears in the column entitled “B4MX District” and substituting “50”.
- (4) Clause 6.6(2) is amended by striking out “have active frontages” in the first sentence and substituting “incorporate elements of an active frontage”.

### Section 7.0 Amended

- 7. (1) Clause 7.3(3) is amended:
  - (a) by striking out “45mm” and substituting “35mm”; and
  - (b) by striking out “1800mm” and substituting “1200mm”.
- (2) Subclause 7.5(1)(c) is amended by adding “and box planters.” after “Rain gardens”.
- (3) Clause 7.7.6 is amended by repealing Note 4 and substituting the following:
  - “4 Within the B4MX district, parking and loading areas or drive-throughs shall be adequately screened from the front site line to a height of 1.0 metre by a building, or intensive landscaping and public amenity such as a plaza or public seating above and beyond landscaping.”

### Section 8.0 Amended

- 8. The charts contained in clauses 8.8.2 and 8.9.2 are amended by adding the following after “(14) Secondary suites”:

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(15) Garden and garage suites	Refer to General Provisions Section 5.43
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### Section 10.0 Amended

- 9. (1) The charts contained in clauses 10.7A.2 and 10.7A.3 are amended but striking out “7.5” found in the “Rear Yard” column wherever it appears and substituting “3.0”.
- (2) Clause 10.7A.4 is amended by repealing Note 5.
- (3) Subclause 10.7A.6(2) is repealed and the following substituted:

“(2) The number of parking spaces required in the B4MX District may be reduced by the number of on-street parking spaces as follows:

- (a) for principal buildings where the front building line is entirely within the maximum 3 metre front yard setback, any adjacent street parking spaces directly facing the building shall be credited;
- (b) for principal buildings that include both commercial and residential components, any adjacent street parking spaces directly facing the building shall be credited; or
- (c) where a building is set back from the property line, and that space created is dedicated to pedestrian activities, including plazas, seating areas or other uses above and beyond landscaping, half of the adjacent street parking spaces directly facing the amenity shall be credited; and

(2.1) On-street parking space shall only be credited for one of the circumstances outlined in (2).”

(4) Clause 10.7A.6 is amended by adding the following after subclause (5):

“(6) No parking or loading areas shall be permitted between the front property line and the front building line, or between the side building line closest to the flanking street and the side property line adjacent to the flanking street on corner sites.

(7) Drive-throughs shall be located on the interior of the site, such that drive-throughs are separated from any public street by a building, or intensive landscaping and a public amenity such as a plaza or public seating.”

(5) Clause 10.7A.10 is repealed and the following substituted:

**“10.7A.10 Building Orientation and Access**

Buildings located adjacent to a street shall contain the following elements of an active frontage:

- (1) Functional individual unit entrances providing for direct access at grade are required along the front facade for all buildings located adjacent to a street. The entrance shall be visible from the street and accessible from the sidewalk.

- (2) A minimum of 30% of the ground floor of the front façade shall contain transparent openings or entrances.
- (3) Where a site is a through site, only one frontage will be required to meet the above two provisions, (1) and (2), regarding individual entrances at grade and transparent openings. Frontages along arterial streets will be required to meet all provisions.
- (4) Continuous and demarcated pedestrian access shall be provided from the public sidewalk to building entrances and exits.
- (5) For corner sites, at least one public entrance with direct access at grade along one of two street facing facades is required per building. Transparent openings shall be provided along each street facing facades.
- (6) Where a primary building is setback from the property line, the space created must be used for pedestrian activities, including plazas, seating areas, landscaping, or other amenity spaces that are active or provide visual interest.
- (7) All buildings fronting a street shall incorporate architectural features that provide visual interest along the streetscape and reduce the perceived massing of the building. No blank walls, continuous garage doors or high fences.

(6) Subclause 10.8B.4 is amended by repealing Note 4(a).

**Section 12.0 Amended**

10. The chart contained in clause 12.6.2 is amended by adding the following after “(52) Short-term rental properties”:

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(53) Warehouse	7.5	30	225	0	0	0	14
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## Appendix “A”

### “5.43 Garden and Garage Suites

- (1) No more than one garden, garage or secondary suite accessory to a one-unit dwelling shall be allowed per site.
- (2) No garden or garage suite may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory.
- (3) All habitable areas of a garden or garage suite shall be above grade.
- (4) Condominium plans for a garden or garage suite shall not be approved.
- (5) A site plan for a garden or garage suite shall be submitted which must identify:
  - (a) the location of all City-owned trees on the site, the adjacent boulevard and on sites on either side of the subject site; and
  - (b) details regarding utility service connections.

The site plan must be approved by the City and by all utility agencies which provide service to the site.

- (6) Sites containing a garden or garage suite must be adequately drained. A site drainage plan shall be submitted.
- (7) One off-street parking space is required for a garden or garage suite in addition to at least one off-street parking space for the principal dwelling as follows:
  - (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) the parking space required for the garden or garage suite shall not be located in a required front yard unless the site has no access to a rear lane; and
  - (b) on corner sites, the parking space for the garden or garage suite may be located in the rear or side yard and may be accessed from the rear lane or the flanking street.



## Appendix “A” Continued

- (8) A garden or garage suite shall be connected to the front yard of the site by means of an internal path, the width of which should accommodate barrier free access. Where lanes exist, a garden or garage suite shall also be connected to the rear yard by means of a path.
- (9) The main entrance of a garden or garage suite shall be accessible from the lane where a lane exists.
- (10) A garden or garage suite shall have a maximum of two bedrooms.
- (11) The following factors are to be considered in determining the gross floor area of a garden or garage suite:
  - (a) the gross floor area of a garden suite shall not exceed the gross floor area of the principal dwelling or 80 m<sup>2</sup>, whichever is the lesser;
  - (b) the gross floor area of a garage suite shall not exceed the gross floor area of the principal dwelling or 100 m<sup>2</sup>, whichever is greater, and in no case shall the gross floor area of a garage suite exceed 167 m<sup>2</sup>;
  - (c) the gross floor area intended for use as a private garage in a garage suite shall not exceed 87 m<sup>2</sup>;
  - (d) the gross floor area of a one-unit dwelling includes all areas above grade, including an attached garage;
  - (e) the gross floor area of a garden or garage suite includes all areas above grade;
  - (f) where a detached accessory building exists, the gross floor area of the existing detached accessory building need not be considered in the gross floor area calculation where:
    - (i) the depth of site is greater than 60 metres; and
    - (ii) the existing detached accessory building is located entirely within 25 metres of the rear wall of the principal dwelling;
  - (g) when the garden or garage suite has two storeys, the gross floor area of the second storey shall not exceed 80% of the gross floor area of the first storey.

## Appendix “A” Continued

- (12) Balconies may be permitted on the second storey of a garden or garage suite facing a lane, or on corner sites, facing a flanking street. Balconies shall be screened appropriately so as to inhibit the view into adjacent sites.
- (13) Rear yard decks and porches are permitted for garden or garage suites.
- (14) Mechanical units such as air conditioners and vents shall be located so as not to constitute a nuisance to adjacent properties.
- (15) In category 1 neighbourhoods and category 3 neighbourhoods, the maximum area of a side wall which may be glazed is 20% of the wall area or the amount permitted by the National Building Code. Where the National Building Code allows for more, exceptions to the 20% maximum will be permitted on corner sites.
- (16) Dormers are permitted in category 1 neighbourhoods and category 3 neighbourhoods, but shall not exceed 50% of the length of the roof.
- (17) The minimum development standards for garden suites are set out in the following chart:

<b>Garden Suites</b>									
<b>Development Standard</b>	<b>Side Yard (min)</b>	<b>Rear Yard (min)</b>	<b>Rear Yard Coverage (max)</b>	<b>Building Height (max)</b>	<b>Distance from Principal Dwelling (min)</b>	<b>Side Wall Height (max)</b>	<b>Building Length (max)</b>	<b>Number of Storeys (max)</b>	
<b>Category 1</b>	0.75 <sub>1</sub>	2 <sub>2</sub>	50%	5.8 <sub>3</sub>	4.0		9.0	2	
<b>Category 2</b>	3	2	50%	3.5	4.0	3.2	9.0	1	
<b>Category 3<sub>s</sub></b>	0.75 <sub>1</sub>	2 <sub>2</sub>	50%	3.5 <sub>4</sub>	4.0		9.0	1 <sub>4</sub>	

### Notes to Development Standards for Garden Suites

- 1 A minimum side yard setback of 1.2 metres shall be provided on one side of the site.
- 2 The minimum rear yard setback may be reduced to 1.2 metres on sites with a rear lane.
- 3 The maximum building height can be increased to 6.0 metres to the mean height level between eaves and ridge on buildings with a gable, hip or gambrel roof.
- 4 On sites with rear lanes, garden suites shall be permitted to have 2 storeys and a maximum building height of 5.8 metres, or 6.0 metres as permitted in subnote 3 for gable, hip or gambrel roofs.

## Appendix “A” Continued

- (18) The minimum development standards for garage suites are set out in the following chart:

<b>Garage Suites</b>								
<b>Development Standard</b>	<b>Side Yard (min)</b>	<b>Rear Yard (min)</b>	<b>Rear Yard Coverage (max)</b>	<b>Building Height (max)</b>	<b>Distance from Principal Dwelling (min)</b>	<b>Side Wall Height (max)</b>	<b>Building Length (max)</b>	<b>Number of Storeys (max)</b>
<b>Category 1</b>	0.75 <sub>1</sub>	2 <sub>2</sub>	50%	6.0 <sub>3</sub>	4.0		9.0	2
<b>Category 2</b>	0.75 <sub>1</sub>	2	50%	5.0	4.0	4.0	9.0	1
<b>Category 3</b>	0.75 <sub>1</sub>	2 <sub>2</sub>	50%	5.0 <sub>4</sub>	4.0		9.0	1 <sub>4</sub>

### Notes to Development Standards for Garage Suites

- 1 A minimum side yard setback of 1.0 metres shall be provided on one side of the site.
- 2 The minimum rear yard setback may be reduced to 1.2 metres on sites with a rear lane.
- 3 The maximum building height can be increased to 6.2 metres to the mean height level between eaves and ridge on buildings with a gable, hip or gambrel roof.
- 4 On sites with rear lanes, garage suites shall be permitted to have 2 storeys and a maximum building height of 6.0 metres, or 6.2 metres as permitted in subnote 3 for gable, hip or gambrel roofs.”