

**Lasby, Mary**

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**From:** [REDACTED]  
**Sent:** Wednesday, September 7, 2022 4:41 PM  
**To:** Web E-mail - City Planning  
**Subject:** Written statement about proposed 509-12th St East rezoning  
**Attachments:** 2022 09 07 Rezoning Issues 509-12th Street East.pdf

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Dear Planning and Development,

Please find the attached written submission regarding this proposal by Modus Ventures Corp. to request rezoning of 509-12<sup>th</sup> St. East.

If you have any comments or questions, please feel free to write to me or call me on my cell mentioned in my signature block below.

Regards,

Cary

**Cary Tarasoff**, B.Sc., A.Sc.T., MCIP, RPP 

[REDACTED]  
Saskatoon, Saskatchewan  
[REDACTED]



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7 September 2022

Planning and Development  
City of Saskatoon

**Re: Proposed rezoning of 509-12th Street East.**

Dear Planning and Development,

Please consider the attached information regarding the application by Modus Ventures Corp. to rezone the subject property from PUD to B5B subject to a Zoning Agreement.

It should be made perfectly clear that the application is NOT a proposed Mixed Use as labelled in the Site Context schematic on page 5 of the 17 August 2022 Notice. By their own submission, approx. 3200 sq m is dedicated office use, 2400 sq m is parking support for that primary use, and less than 50% of the main floor area is at best an accessory retail use.

In reality, the proposed development is to be a full commercial office use that will be surrounded by differing densities of residential development including the Mixed Use proposed for Site 2. The Modus development is nothing like that Site 2 Mixed Use and it is not complementary for any of the associated existing residential developments listed on Sites 2 through 5 inclusive on the schematic enclosed within.

The proponent has chosen to request a zoning level beyond all the available zoning which would be supportive of the local residential area such as B1B and B2.

Even if B5B were deemed appropriate for this commercial office use, this site would require a minimum of 149 parking stalls within yet they propose only 101 spaces currently (48 parking spaces short).

B5B zoning requires a 1.5m side yard for the first three stories which increases to 3m beyond, yet the Modus sample design shows a zero-lot line and only considers stepping back the riverfront rear yard of the property and not the required side yard.

B5B zoning also requires 3m front yard setback for the first three stories which steps further back to 6m beyond. At best this proposed design is vertical at the 1.5m front yard setback which fails to meet the zoning bylaw and the intent of softening the structure. The proposed towering glass wall will intimidate the residential structures opposing on the south side of the street and it will reflect light and heat onto these structures while changing the character of the tree lined street below that exists there currently.

Eastlake Avenue is approximately 55 feet wide but dead end 12th Street East drops to approximately 45 feet wide with no thru street connection to Broadway.

This Modus proposed structure could easily accommodate more than 175 office workers not including any further amount for the main floor retail provided. This traffic burden will hamper the existing local traffic flows and will further hinder the potential for the actual Mixed Use site 2 along Broadway.

This proposal will further put pressure on any available street parking which would hurt both existing residential and retail businesses alike.

There is no current need for commercial office space in this area that has been identified. Recent reporting stated that more than 750,000 sq ft of office space is currently vacant within the downtown core.

### **Tests of Entitlement**

In regard to the three Tests of Entitlement, I provide the following as evidence against this proposed zoning change.

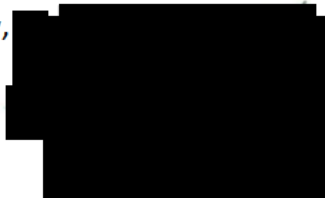
1. Granting of this rezoning DOES provide the Applicant special privilege inconsistent with the restrictions on neighbouring properties.
  - a. The commercial office use is incompatible with the residential uses which surround this site.
  - b. This proposal fails the side and front yard setbacks as laid out in B5B.
  - c. This proposal will drive a high traffic commercial use onto a greatly restricted, dead end residential street.
  - d. This proposal greatly fails to meet the minimum required internal parking for such a density.
  - e. Special approval had already been to this particular site for PUD which would be conducive with the existing neighboring development.
2. The granting of this rezoning DOES defeat the intent of the Zoning Bylaw.
  - a. The commercial office use is incompatible with the residential uses which surround this site and it circumvents the available B1B and B2 neighborhood friendly zoning segments.

- b. This proposal fails the side and front yard setbacks as laid out in B5B which will abruptly alter the streetscape of this residential street.
  - c. This proposal will drive a high traffic commercial use onto a greatly restricted, dead end residential street while causing more pressure on available street parking for the local area.
  - d. This proposal greatly fails to meet the minimum required internal parking for such a density.
3. The granting of this rezoning DOES injuriously affect the neighbouring property owners.
- a. The commercial office use is incompatible with the residential uses which surround this site and it circumvents the available B1B and B2 neighborhood friendly zoning segments.
  - b. This proposal fails the side and front yard setbacks as laid out in B5B which will abruptly alter the streetscape of this residential street.
  - c. This proposal will drive a high traffic commercial use onto a greatly restricted, dead end residential street while causing more pressure on available street parking for the local area.
  - d. This proposal greatly fails to meet the minimum required internal parking for such a density.
  - e. Special approval was already granted to this particular site for PUD which would be conducive with the existing neighboring development.

The further rezoning will not be complementary to the existing fabric of the area and I believe it will be harmful to the overall Broadway area.

In summary, this proposal only serves to suit the developer and not the area for which it is proposed.

Sincerely,

A large black rectangular redaction box covering the signature of Cary Tarasoff.

Cary Tarasoff, B.Sc., A.Sc.T., MCIP, RPP  
Saskatoon, Sask.

A black rectangular redaction box covering contact information.





Eastlake Avenue

± 55'-0"

± 45'-0"

12th Street East - no thru access



12th Street East - no thru access

Subject Site

- 1.5m side building cap - first three stories
- additional 1.5m side building cap max - above
- 3.0m front building cap - first three stories
- additional 3.0m front building cap max - above
- background image from Google Ear h - uncorrected