

Bryant, Shellie

From: Patrick Wolfe <City.Council@Saskatoon.ca> on behalf of Patrick Wolfe <City.Council@Saskatoon.ca>
Sent: May 24, 2019 1:21 PM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Friday, May 24, 2019 - 13:20
Submitted by anonymous user: 174.2.176.213
Submitted values are:

Date: Friday, May 24, 2019
To: His Worship the Mayor and Members of City Council
First Name: Patrick
Last Name: Wolfe
Email: [REDACTED]
Address: [REDACTED] Sask Cres East
City: Saskatoon
Province: Saskatchewan
Postal Code: [REDACTED]

Name of the organization or agency you are representing (if applicable):

Subject: ROW Residential Boulevard Leases 9.4.1

Meeting (if known): Regular Agenda meeting

Comments:

Requesting to speak on section 9.4.1 in the Agenda ROW residential boulevard Leasesin regards to 427 10th Street East property.

I am sending my documentation by way of courier to City Clerks office (2nd floor) city hall. by 4:30 pm Friday May 24th 2019

Attachments:

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/311941>



**Response to Transportation Committee
421 – 431 10th Street East
Heritage Fence Removal**

May 2, 2019

This letter is in response to the Administration's recommendation to the Transportation Committee to register an interest on the title of properties affected by the fence encroachments on city property.

In November 2018, we received a letter from the City's Transportation Division indicating that, after 20 years, the fence at the above properties was causing complaints and affecting site lines for drivers.

We can certainly appreciate the City's perspective that private fences must be both attractive and not cause interference with the safe circulation of vehicles, especially in residential neighbourhoods.

We want to point out that there seems to be a loss of institutional memory within the administration when it comes to the above properties. There was agreement twenty years ago, in 1999, between City Council and the administration of the day that this fence could remain. A lease arrangement was worked out as an acceptable solution. This was in response to a 1,600 name petition in favour of allowing the fence to remain. This fence is custom-designed and purposely-built so that it was attractive and did not create unsafe conditions for drivers. The fence was recognized with a heritage award in 2000 for its sensitive design.

This fence is located on a piece of property in Nutana which is an anomaly. The property is unique because three homes were constructed on a single site in 1912. It does not set a precedent of any kind. It is a fence which is unique to the property it is located on. City Hall participated in the condominium approval over 20 years ago to find a custom solution for this unique situation. This fact has not been retained by the City's Transportation Department who are now seeking to lump this unique solution with several other encroachment files.

We understand that there are 6 properties affected by this initiative to resolve fence encroachments. It is our belief that one solution cannot solve all six circumstances.

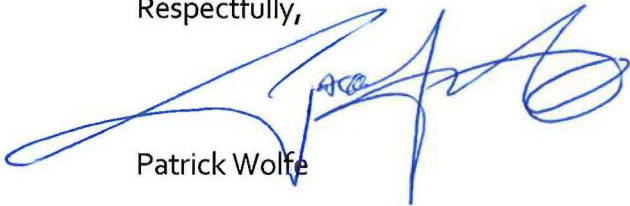
We remain in favour of Council's original desire to allow the purchase of the land on which the fences encroach. However, we cannot understand how the City has calculated the value of the land. In our view, the small area of land needed to resolve this situation should be viewed as 'undevelopable land'.

The total area of land necessary for purchase does not add any appreciable value to the existing homes or their property values. The zoning of these homes is R2, meaning that only one and two-unit

dwellings can be built. Adding the amount of encroachment land needed to resolve these encroachments does not, and will not, amount to any appreciable development potential, or increase in property value.

We sincerely hope that City Council will honour the work which was done in 1999 to recognize this site as unique. There are two solutions we are in favour of: either permanently close this file once and for all, or offer the land the fence encroaches on at a reasonable value equivalent to 'undevelopable raw land'.

Respectfully,



Patrick Wolfe

Attachments

1. Star-Phoenix Article 1 – November 21, 2018
2. Star-Phoenix Article 2 – December 10, 2018

Pretty but controversial Nutana fence targeted again

Fence survived attempt in 1999 to have it removed, but issue rises again

PHIL TANK, SASKATOON STARPHOENIX Updated: November 20, 2018



A Victorian-style fence, which Saskatoon city council is considering the possibility of ending all leases of land by residential property owners, on 10th Street near the intersection with Eastlake Avenue down in Saskatoon, SK on Tuesday, November 20, 2018. If council ends the land lease it could mean that this long-controversial fence would have to be torn down. Saskatoon StarPhoenix/Liam Richards) *LIAM RICHARDS / SASKATOON STARPHOENIX*

City hall has once again set its sights on Saskatoon's most famous white picket fence, nearly two decades

after the fence survived an attempt to have it removed.

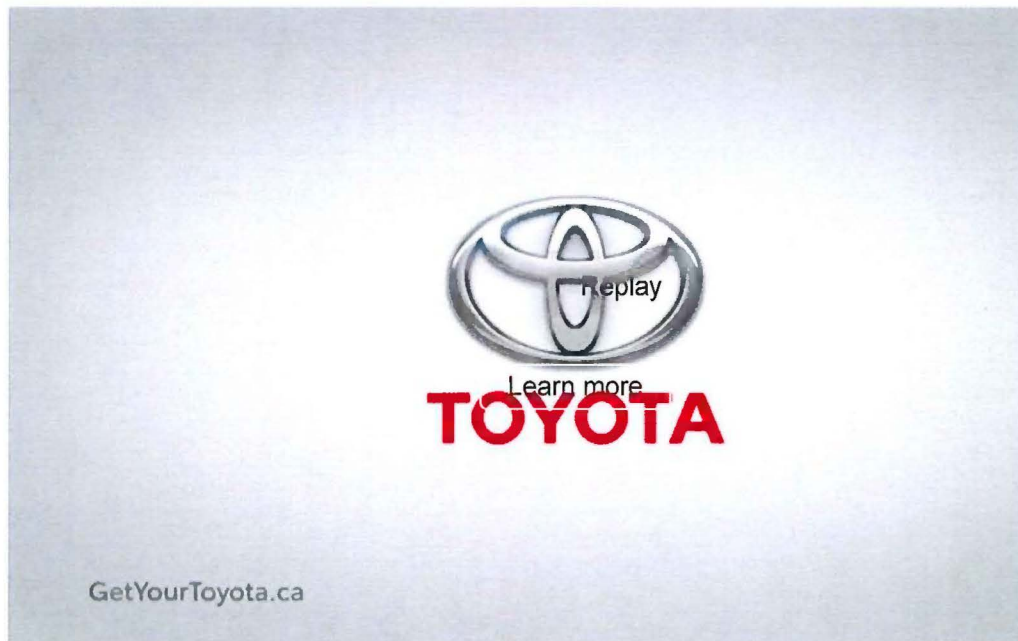
The fence was installed in the front yard of three homes that were built without backyards around 1912, but are now classified as condos. Part of the fence at 10th Street East and Eastlake Avenue is located on city-owned land that is leased by the property owner.

In 1999, council rejected an attempt by city administration to have the fence removed because it's located too close to the sidewalk. On Monday, city council considered a proposal from the administration to end the half dozen or so leases of city land to residential property owners.

The end of such leases would mean the fences built on them would need to be removed.

"I cannot begin to explain the amount of hours, and collective efforts, that have been invested to resolve a unique issue that dates back to 1912," property owner Patrick Wolfe said in an email to council.

STORY CONTINUES BELOW



Council voted Monday to study the possibility of allowing property owners to buy the adjacent land they are leasing in an attempt to permanently end the practice of leasing land to residential property owners.

The fence at 10th and Eastlake was built to account for the lack of backyards for the 1912 homes, Wolfe said.

In 1999, a resident complained to the city that the white picket fence obscured the view at the intersection. The city administration decided the fence was built too close to the sidewalk and that allowing it to remain would set a bad precedent.

Support for the Victorian-style fence poured in from across the county, according to StarPhoenix news reports, and more than 1,600 signed a petition in support of the fence.

An arrangement was made to allow the property owners to lease land from the city. The fence, which was designed to resemble the fence originally built at the property, was given a civic heritage award in 2000.

Robert Clipperton appeared on behalf of the Nutana Community Association on Monday to try to convince council to leave the fence alone.

"If I was on council and this was my can of worms, I would just leave a lid on it for now and do something else," Clipperton said.

A city report suggests the fence is uneven and obstructs sight lines. The proposal from the city suggested homeowners be given \$500 to remove existing fences should the land leases end.

Dan Borys, who has also built a fence on land leased from the city, said removing the brick and wooden fence near his Silverspring home would cost \$20,000 or \$30,000. Borys said he's surveyed his neighbours, who have no problem with the fence.

"There is no eyesore," Borys told council Monday. "There is no obstruction. We feel really blindsided."

The city also leases 27 patches of land to commercial property owners. That practice will continue, but council voted to update the leases to reflect current land values.

ptank@postmedia.com (mailto:ptank@postmedia.com)

Tank: The billion-dollar budget and the white picket fence

City hall's battle with a pretty fence in Nutana has become generational

PHIL TANK, SASKATOON STARPHOENIX Updated: December 10, 2018



This Victorian-style fence in Saskatoon's Nutana neighbourhood has again attracted the attention of city hall a generation after public support spared it. *LIAM RICHARDS / SASKATOON STARPHOENIX*

Two weeks ago, Saskatoon city council passed its \$1.14-billion budget for next year.

Just prior to that, council dealt with a controversial issue. Not user fees for garbage collection — an oddball white picket fence in the Nutana neighbourhood.

What does a gargantuan city budget have to do with a fence? Nothing really, except that when the city's budget becomes that big, the residents who pay for it often wonder whether their money is being spent wisely.

Residents fund nearly half of the city's budget through property taxes that rise every year. Next year, taxes will increase 4.4 per cent to pay for a budget that will be remembered mainly for lacking memorable initiatives.

A few minutes of acrimony among the 16 hours of debate stand out, but that's about it.

STORY CONTINUES BELOW

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But the city's second run at a picturesque little fence at 10th Street and Eastlake Avenue could linger in people's minds.

The fence surrounds three homes built more than a century ago that are now considered condominiums. They lack backyards, so the fence, built to resemble an original fence on the property, provides residents with an enclosed yard at the front.

After a complaint was filed in 1999, city hall targeted the Victorian-style fence for demolition, deciding it was built too close to the sidewalk.

Residents dispelled the axiom that you can't fight city hall, which backed down in response to support for the fence, some of which poured in from across the country.

Those who engage city hall, though, had best be prepared for a generational battle. City hall has once again set its sights on the fence, but in a more indirect way.

Now, the city administration has decided the practice of leasing land to residential property owners must end. And it just so happens that a certain fence on a certain street is built on land leased from the city.

There are only six such patches of leased land in the entire city. A report that ate up nearly 50 pages of a city council agenda explained that the leases only yield \$2,890.43 in revenue for the city each year.

So what prompted the attack on the scourge of leased land?

There is but one line in nearly 50 pages to explain: "In recent years, concerns have been raised regarding the uneven fence lines along a roadway and the restriction of sight lines."

That sounds more like a war on non-conformity than an attempt to address a serious issue. It also fails to ring true, since residents have sought approval from their neighbours prior to building the fences.

And we're talking about six fences in a city of 278,500 people.

A representative from the Nutana Community Association appeared before council to express support for the fence and pan any move that would threaten it.

How much money was spent on this study? Probably more than \$2,890.43 in staff time and resources.

City council decided to scuttle the attempt to end land leases to residential property owners and to study the possibility of allowing homeowners to buy the leased land.

Will that satisfy a city hall administration that has apparently waited a generation to take on the white picket fence, which won a civic heritage award 18 years ago?

Well, changes are afoot at city hall with the transportation department that decided the fences had to go. At the same council meeting last month, a new structure for Saskatoon's municipal government was approved.

One of the most significant changes will split up the monster transportation and utilities departments into two separate entities. Will that temper initiatives like the fence fight, or embolden them?

Judge for yourself. Here's what acting director of transportation Jay Magus told council's transportation committee last week:

Magus was responding to concerns about communication in the wake of two contentious proposed road closures this year.

"I guess in short I would say that I don't see any failure in the communication. Quite often I've heard, 'It's not that we don't understand what you're telling us. We just don't like it.' So I took that to be, job well done."

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twitter.com/thinktankSK (<http://twitter.com/thinktankSK>)

RELATED

Tank: Huge tax hike looms for Saskatoon if waste fees nixed
(<https://thestarphoenix.com/opinion/columnists/tank-huge-tax-hike-looms-for-saskatoon-if-waste-fees-nixed>)

Tank: Lots of explaining ahead for city hall on waste shift
(<https://thestarphoenix.com/opinion/columnists/tank-lots-of-explaining-ahead-for-city-hall-on-waste-shift>)

Tank: Saskatoon builds a downtown entertainment district, Part Two
(<https://thestarphoenix.com/opinion/columnists/tank-city-council-builds-a-downtown-entertainment-district-part-two>)



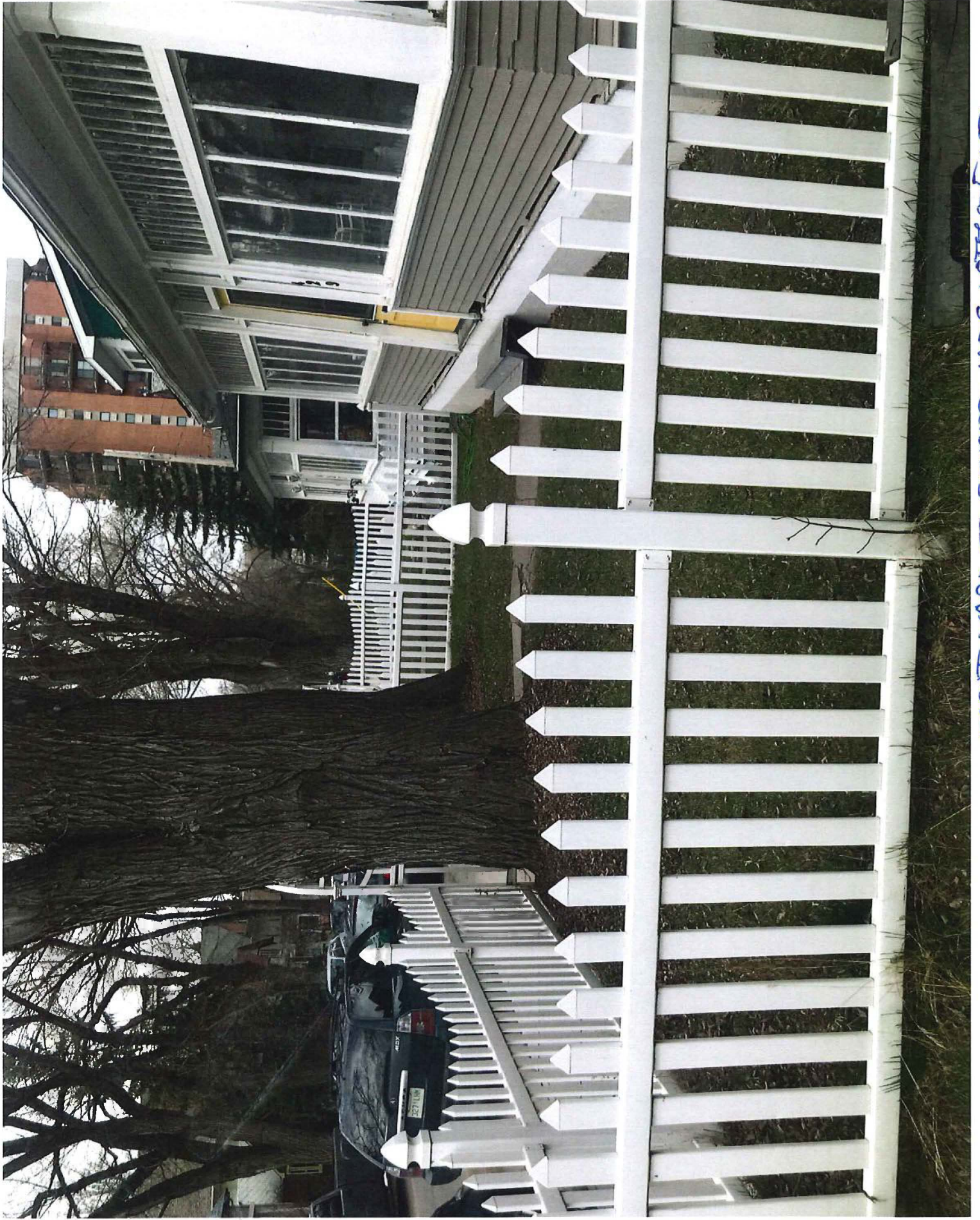
NUTANA 10th STREET
SINGLE FAMILY UNIT
CONDOMINIUM

SASKATOON SASK

ORIGINAL 1999 APPROVED CONDO PLAN
WITH (3) HOUSES & FENCE



FRONT OF 429 10TH ST EAST



FRONT YARD ~~OF~~ FENCED 429 10TH ST EAST



↗ NEIGHBOR
HOUSE
XAR

↗ ONLY 2 1/2 FEET BACK
YARD BEHIND ALL 3 HOUSE
427 428 & 431 10TH ST EAST

NEIGHBOUR
YARD

25

NEIGHBOUR
HOUSE

(Q1) B 1858

427

Unit 1

10TH ST EAST

PORCH

429

Unit 2

10TH ST EAST

PORCH

431

Unit 3

10TH ST EAST

PORCH

LITTLE
WHITE
FENCE
SEPARATING
PROPERTIES

10th Street

IN YELLOW

OUR FRONT YARD FACING 10TH ST
IN FRONT OF 3 HOUSES

APPROX ONLY 2 1/2 FEET DEEP

& IN REAR YARD

APPROX ONLY 2 FEET DEEP

LITTLE WHITE
FENCE
SEPARATING
PROPERTIES

CITY
FRONT
BOULEVARD

OUR
FRONT

&

BACK

YARD

&

APPROX
2-5
FEET

APPROX
2 FEET

Response to Transportation Committee
421-431 10th Street East
Heritage Fence Removal

Nov 19,2019

Dear Ladies and Gentleman, I begin by stating that it is disheartening to find myself, re-visiting the topic of, 'The Fence', at 427, 429 & 431 10th St East....I cannot begin to explain the amount of hours, and collective efforts, that have been invested, to resolve a unique issue that dates back to 1912.

•To begin, some history.... When constructed in 1912 these 3 separate single-family homes were built on a "single titled "31 foot corner lot facing 10th Street East with only 1 foot ...literally a 12 inch backyard and no front yard other than the city boulevard. Normally only one single house would have been constructed facing East Lake with a full backyard but instead these 3-character homes with no backyard facing 10th Street East were built thus creating a problem for a future generation to solve. The creation and approval by City Council of 3 separately titled Heritage Condos & Fence Lease was the modern-day solution to this, a unique one of a kind situation created in 1912 that was out of place with today's bylaws. The converting of the 3 single family homes from "one title to 3 individual condominium titles" PLUS with the Fence Lease was always intended as long-term solution and never intended as a temporary fix.

•After consultations, on site meetings, historical searches, architectural renderings, councillor meetings, national press coverage, a petition supporting the fence, with over 1600 local area supporters, and finally culminating, in a meeting with the Mayor and council, a collective, mutually satisfactory solution was reached, that has worked without any problem what so ever to this very day.....Fast forward to today....I received a letter from Mr. Chris Helt, who indicated in a follow up telephone conversation, that while there are absolutely no complaints at all, with respect to this fence, it is being included, in what might be referred to as a 'sweep', of changes, regarding leases, which at first glance, may appear to be similar, but upon further investigation and historical information, are in fact, entirely different.

•This "lease" for "The Fence" was intended by the Mayor, Council & City Administration as a "long-term permanent" solution to resolve this unique situation created in 1912. This issue has already been clearly & decisively decided by Council & City Administration in 1999 and to restart this issue from exactly the same place it started, when so much time and effort was made by Council & Senior City Administration, would be absolutely counterproductive. This "Condo & Fence Lease" should not be or compared to the other 5 leases the Transport Department wants to cancel. The creation of 3 Heritage Condos & Fence Lease was the modern mechanism as a long-term

solution a unique one of a kind situation created in 1912 when 3 single family homes were built on a single corner lot with a 1 foot ...literally 12" backyard and no front yard other than the city boulevard. Included below is the original rendering of the 3 Heritage "Condos" & "Fence" approved by City Council.

- The 3 Heritage Home "Condos" & Fence Lease are integral to each other. Without the ability to separate these three 1912 Character homes vis-à-vis a fence between simple things such as having a barbecue, children safely playing the yard, pets or even having an alcoholic beverage outside one's home would not be permitted. There would be significant loss of the value, perhaps hundreds of thousands of dollars to the value of these homes without the use of separated front fenced yard in the absence of a backyard. It would put in jeopardy the entire practical use & financial viability of this 3 Heritage Home Condominium Association. It would put in jeopardy preserving history through single-family ownership and peaceful use of a small front yard when no backyard exists.

- Massive Community Support. The Nutana Community and the City of Saskatoon both wanted to preserve the unique heritage component of these three single family homes built in 1912. We had over whelming support from the community with an excess of 1600 people signing a petition to have this fence constructed to allow single family ownership and preserve & celebrate local architectural history for future generations.

- Preserving City of Saskatoon Heritage. These three 1912 Character homes are prime historical examples from an important era in Saskatoon history. The previous structure of three single family homes on a single corner lot put these heritage homes at risk. The individual condo and fence lease solution was the long-term solution to preserve these important examples of our heritage for generations to come. Countless hours of research and thousands of dollars where put into design & custom build of this historical period fence and gate arbours. The City of Saskatoon awarded us a Heritage Award for this fence and its contribution to highlighting & preserving Heritage. This fence design was the inspiration for the fence built at Saskatoon's oldest residence, the City Heritage site called the Marr Residence.

- To conclude, I submit, that due to the unique aspects of this condominium project, and the approximate 20 years, of established success arrived at, from the council of the day, that this lease, and present terms, should remain unchanged.

With kind regards,

Patrick Wolfe



Bryant, Shellie

From: Scott Cranston <City.Council@Saskatoon.ca>
Sent: May 24, 2019 4:04 PM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Friday, May 24, 2019 - 16:03
Submitted by anonymous user: 216.197.220.176
Submitted values are:

Date: Friday, May 24, 2019
To: His Worship the Mayor and Members of City Council
First Name: Scott
Last Name: Cranston
Email: [REDACTED]
Address: [REDACTED] 7 Street E
City: Saskatoon
Province: Saskatchewan
Postal Code: [REDACTED]
Name of the organization or agency you are representing (if applicable):
Subject: Boulevard issue
Meeting (if known):
Comments: I would like to address city council on this issue if possible on Monday May 27. As I will be in attendance.
Attachments:

The results of this submission may be viewed at:
<https://www.saskatoon.ca/node/398/submission/311984>

Bryant, Shellie

From: Scott Cranston <City.Council@Saskatoon.ca>
Sent: May 23, 2019 8:11 PM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Thursday, May 23, 2019 - 20:10
Submitted by anonymous user: 216.197.220.176
Submitted values are:

Date: Thursday, May 23, 2019
To: His Worship the Mayor and Members of City Council
First Name: Scott
Last Name: Cranston
Email: [REDACTED]
Address: [REDACTED] 7 Street E
City: Saskatoon
Province: Saskatchewan
Postal Code: [REDACTED]
Name of the organization or agency you are representing (if applicable):
Subject: Boulevard issue
Meeting (if known): City council meeting Monday May 26
Comments:

I received a reply from councillor Block stating that people whose are in possession of a lease will not be required to remove the fence on city property till a sale occurs.

In my case we approached the city in July 2007 regarding the purchase of the boulevard (or portion of) and got the ok to proceed and we hired Webster Surveys.

October 15 2008 we received a letter from the city stating our request was turned down, with no mention of a lease. I was not aware this could have been an option. Under these circumstances I feel that I should be granted the same option as people with a lease. Regards Scott's Cranston

Attachments:

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/311770>

Bryant, Shellie

From: Dan Borys <City.Council@Saskatoon.ca>
Sent: May 27, 2019 7:28 AM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Monday, May 27, 2019 - 07:28
Submitted by anonymous user: 70.64.29.36
Submitted values are:

Date: Monday, May 27, 2019
To: His Worship the Mayor and Members of City Council
First Name: Dan
Last Name: Borys
Email: [REDACTED]
Address: [REDACTED] Pezer Cove
City: Saskatoon
Province: Saskatchewan
Postal Code: [REDACTED]
Name of the organization or agency you are representing (if applicable): [REDACTED]
Subject: Bulivard
Meeting (if known):
Comments: I wish to speak for 5 minutes.
Attachments:

The results of this submission may be viewed at:
<https://www.saskatoon.ca/node/398/submission/312420>