

**Exhibition Local Area Plan (LAP) Meeting #5
Infill Development Meeting
Seventh Day Adventist Christian School - Gym
2228 Herman Ave
April 10, 2019
7:00 pm**

Attendees: Darlene Fonos, Obert Friggstad, Glen Green, Jacqueline Hounjet, Maddyn Linka, Michelle Liota, Lynne Meredith, S.J. Potts-Weiget, Arnie Riise, Jane Sullivan, Omar Linares, Laurie Ann Ulmer, Darrell Weiget, R. Graves, B. Batake, Keli Propp, Denise Partington, Keith Folkersen & Mark Emmons – co-facilitators, Melissa Austin – Senior Planner, Holden Blue – Planner, Shirlene Palmer – Recording Secretary, Darryl Dawson – Development Review Manager, Paula Kotasek-Toth – Senior Planner

Regrets: Councilor Mairin Loewen, Kevin Ariss – Community Consultant

1. Welcome & Introductions

Meeting called to order at 7:05 p.m.

Mark Emmons introduced himself and Keith Folkersen co-facilitator of tonight's meeting and the Exhibition Local Area Plan (LAP) Project and welcomed everyone to the 5th LAP meeting. He introduced the additional City of Saskatoon representatives in attendance.

2. Foundations for Success

Foundations for Successful Meetings specify how the meeting will be conducted. It's our job to ensure that everyone feels comfortable sharing their concerns, opinions and ideas with the group here tonight and throughout the process. We'll be talking about topics important to the entire neighbourhood, so every local stakeholder's opinion is important.

It can be difficult to hear at times so we want to ask that people to speak up when stating their comments but also listen quietly when others are speaking.

The Foundations for Successful Meetings for this meeting are:

1. **Information Sharing & Gathering:** The purpose of tonight's meeting is for you to receive information about the LAP process and for us to obtain knowledge of the area from local stakeholders
2. **Respect:** Please listen to and respect whoever is speaking.
3. **Integrity:** We are here to have an honest and open discussion.
4. **Fair and Equal Representation:** Everyone will have an opportunity to speak.
5. **No Repetitive Discussion:** We want to make the best, most effective use of everyone's time, so once a point has been raised and noted, we want to move forward with the discussion.

6. **Orderly Participation:** Please raise your hand if you have a question or comment.

3. **Infill Development Exercise**

Infill development can have both positive and negative effects on established neighbourhoods.

The attendees were divided into 4 groups and were asked to:

- Identify as many positive and negative effects of infill development in the neighbourhood
- Provide a brief explanation for each. You may find that some effects will be included on both lists, depending on individual opinions and preferences.
- Then, as a group, identify the **TWO** most important positive effects and **TWO** most important negative effects.

Each group presented their top 2 positive and negative.

Group 1:

Positive – Renewal of housing & less urban sprawl

Negative – Not enough parking & houses not fitting into neighbourhood e.g. scale, character, etc

Group 2:

Positive – Renewal and rejuvenation & a building is better than a parking lot.

Negative – Parking & don't fit in style or size

Group 3:

Positive – Tax benefit to city infill & sometimes other infrastructures are fixed when infill is done e.g. pipes, roads, etc.

Negative – Increase of heavy traffic during constructions (early morning) & cracked sidewalks

Group 4:

Positive – New families moving into neighbourhood & removal of run down houses in area

Negative – Grade of property may have height difference which will affect drainage & loss of private property trees.

Full exercise results are included in attachment.

4. **Presentation: Infill Development**

Darryl Dawson, Development Review Section Manager

Paula Kotasek-Toth, Senior Planner

Comments:

- It seems like the City just changes zoning as they see fit.
- I have a tree close to sidewalk in front of home, emailed City and they say it is on private property but front of all properties is City owned.

Darryl Dawson, Development Review Section ManagerWhat is Infill Development?

The Growth Plan, which will guide the growth of Saskatoon to 500,000 looks at balancing growth between infill and Greenfield development. Infill development being development that occurs in neighbours or areas of the city that are developed, greenfield development being those new neighbourhoods.

The Growth Plan focuses on three types of infill development, strategic locations (ie north downtown, university endowment lands) corridors (ie College Drive, 22nd and 8th St) and neighbourhood level infill (this is the redevelopment on existing residential sites).

Overview of Planning and Development (at a higher level)**Definition of Planning**

Planning means the scientific, aesthetic, and orderly disposition of land, resources, facilities and services with a view to securing the physical, economic and social efficiency, health and well-being of urban and rural communities. ~*Canadian Institute of Planners*

Planning Framework

All of the laws governing planning and development originate from the Province of Saskatchewan. The Province provides those laws to Municipalities in the Planning and Development Act, 2007.

The Official Community Plan (OCP) is adopted by bylaw and provides the objectives and policies for development in Saskatoon. The policies are higher level statements that ensure the City grows in an orderly and rational manner, balancing the environmental, social and economic needs of the community.

Each province will have its own legislation on Planning so things may be done differently in other Provinces. The Provincial legislation provides for two main documents that govern planning, the OCP and the Zoning Bylaw.

Cities began adopting Zoning Bylaws in the 1920's. Zoning Bylaws were originally developed to address the issue of public health and safety. The first Zoning Bylaw in Saskatoon was approved by Council in 1930

The Zoning Bylaw contains specific regulations controlling the use and development of land. The City is divided into a number of zoning districts each with their own set of land use and site development requirements. For example, there are residential, commercial, industrial, institutional and mixed use District. These zoning districts provide different land uses and regulation

Within each zoning district there are three main types of uses:

- Permitted
- Discretionary
- Prohibited

The zoning bylaw also provides regulations and Development Standards that establish certain minimum and maximum project requirements which must be met before a development may proceed. Regulations include such items as how wide and deep a site must be, building height, setbacks from property lines, parking numbers, landscaping, as examples.

Paula Kotasek-Toth, Senior Planner

Infill Development

Concerns and issues expressed about infill development, seeing larger houses that were different than those already existing. The strategy was undertaken to address these concerns while balancing the housing needs and consumers demand for larger housing. The following where needing to be looked at:

- Neighbourhood Level Infill Development Strategy
- Development Standards for Primary Dwellings
- Secondary Suites / Garden and Garage Suites

Neighbourhood Level Infill Development Strategy

Public consultation was undertaken in the form of feedback received for the community through Open Houses, a project website and an advisory committee made up of member of the community. The study recommended Zoning Bylaw amendments in order that housing better fit the character of the existing residential area.

It was endorsed by City Council in December 2013. Implementation of Garden & Garage Suites in May 2014, implementation of development standards for primary dwellings in March 2015 and small multiple-unit dwellings implemented on a case-by-case basis.

From the study established neighbourhoods were divided into 2 categories: Pre War which Exhibition is part of and Post War. Pre War are more grid streets, mature tree canopy, variety of lot widths, wide boulevards, front porches, rear lanes and 2 storey. Post Wars are wider, larger lots, more 1 storey developments and front garages.

Regulations contained in the Zoning Bylaws **can** be enforced.

- Site width for one-unit dwellings
- Flat roof dwelling
- Allowable side wall area
- Front porch encroachment
- Height of front door.

Guidelines on how to best fit into the neighbourhood is **not** enforceable. These include colour, materials used and housing style.

Site width for one-unit dwellings

Most of Exhibition is zoned R2 Residential District which allows for 1 and 2 unit dwellings even though there are very few 2 storeys currently the zoning does allow for it already. In the category a 2 units dwelling or semi-detached could be built on a site with of 50' or 2 separate detached one unit dwellings. Which looks better?

Questions:

- **Would this show up as two titles?**

Darryl stated yes if there are 2 units, it would mean 2 titles. But there cannot be any legalized suites in these semi-detached developments.

- **What is the purpose of the little building between the 2 dwellings?**

Darryl noted builders found a loop hole so they could develop 2 dwellings on a 50' lot with the joiner in the middle so in essence forcing them to build duplexes. Now with the change to allow 25' lots they are building 2 individual houses.

Allowable Side Wall Area

A regulation was needed to reduce the scale and massing while having design options. An equation was created to determine the building height and maximum building length which reduced the massing of houses.

Flat Roof Dwellings

Prior to the regulations, higher big boxes were being built to max height and extend well into the lot but new calculations reduces the height they can be.

Front Porch Encroachment

New houses within the Category 1 and Category 2 are can have a porch that intrudes/encroaches into the front yard setback.

Height of Front Door

Maximum of 1 metre from grade to bottom of door so to not have a house a lot higher beside a lower one.

Questions:

- **Not sure why you can control things like door heights but not window placement. It all seems like architectural things aren't they?**

Paula noted we can only go by what regulations say. Window placement goes beyond what we can legally regulate. If there is a garden suite then we can regulate where windows are but not single dwelling.

Secondary/Garden & Garage Suite

A Secondary suite is typically in the basement and are permitted citywide.

Garden/Garage Suites are detached and were allowed just in 2015. Applicants must apply and follow a special set of regulations for these. There are fewer of them as they are very expensive to rent.

Questions:

- **City Bylaw before was you couldn't build a house on a lot less than 35' now you can built 2 on a 50' lot? Is that correct?**

Paula noted previous rules were changed from 70% rule to avoid the "duplex" building on lots so now with 25' they build single dwelling units.

Paula noted that all Infill Guidelines, which include all regulations and guidelines to develop in the established neighbourhoods, can be found on the City Website.

Questions:

- **Is there a limit of how many of the "duplexes or double buildings" can be built on a block?**

Mark noted each lot is looked at individually so cannot limit what developers build as long as following regulations.

- **Is parking required for secondary suites?**

Yes parking is required if you have a secondary suite but not for single dwelling homes.

- **What happens if you know of an illegal suite?**

Darryl noted these issues are complaint driven so if a suspected illegal suite is in a house a Bylaw Inspector will visit the house. The City has limited resources so can be difficult to regulate without someone reporting it.

Paula noted parking can be an issue so sometimes best thing to do is develop parking on your site, if possible.

- **If parking is an issue can a permit system be created? Why can't we do what cities like Toronto do where you can't park unless you are a resident?**

Darryl noted that some neighbourhoods do have Residential Parking Program year round. This is the same as Exhibition has during Exhibition week.

Mark stated this can be discussed more at a future meeting about parking to see if committee would like to pursue a Residential Parking Program year round.

- **There is a house that does autobody work out of their garage. Is this allowed? What can be done about it?**

Darryl noted an autobody shop cannot be run out of a garage as it is zoned residential. This also is complaint driven so give the address to Keith and he will check it out.

- **Are there any other mandatory regulation being considered by the City if these new regulations to answer all public questions?**

Paula noted the regulations discussed here today are all she is aware of. Mark noted these changes only recently were adopted by City Council so takes time for the impact to be noticed in future developments.

- **In regards to door height where is the height of 1 metre measured from?**

Paula stated it is measured from the grade to the bottom of the door. Darryl noted what you see now is some developers are raising their lots (inflating grade) but that will affect drainage so city inspectors will be looking at this. Need to make regulation more specific like grade is at curb or property line.

- **It was stated people in the city were reinvesting in the city. What infill is there in Exhibition right now?**

Mark stated compared to some other established neighbourhoods there has not been as much new infill in the Exhibition area but there are older houses and residents who may be considering rebuilding or selling the property in the future.

Darryl noted that the City does not purchase individual lots in neighbourhoods for redevelopment; it is developers who do this.

- **When a lot is split and there is extra property tax collected where does that extra money go?**

Darryl stated the City is not operating for a profit. Any taxes collected go into the general operating budget for overall operating costs. Important to note that just because a lot is split doesn't mean double the taxes are collected.

Comments:

- It would be nice if extra taxes collect from a neighbourhood could be used to update the neighbourhood like roads, sidewalks, etc.

Darryl stated Mark could have the revenue people out to a meeting if attendees would like more information on this.

Questions:

- **New developments can receive up to \$6000 for landscaping and trees to be done in new builds but the City doesn't replace trees that infill remove. Why?**

Darryl stated the City does not give these incentives it must be land developers. The City does things like give away berry bushes for new developments some times and is the boulevard tree program, where you can request an assessment to determine if there is an opportunity for the City to plant a tree. These trees go on the City-owned boulevard portion of your front yard but we know trees on private property also benefit the entire neighbourhood. This might be a good recommendation to consider putting in the LAP that a tree is given to anyone who does infill.

Comments:

- Perception is if there is infill coming to the neighbourhood there should be some revenue to make some upgrades but this is not happening. All the new neighbourhoods are getting the nice parks and walkways and established neighbourhoods have holes all over their parks.

Questions:

- **Have any City employees personally benefited from infill through inside connections or knowledge of future changes to regulations?**

Darryl stated that Planners are licensed in SK and if found to be doing anything illegal they could lose their license.

- **When construction is being done on site is there requirements for them to supply portable bathrooms and garbage cans to keep site clean? Also is it not their responsibility to fix any damage to road they do, e.g. trenching?**

Keith noted there are construction requirements but unsure what exactly they are so he will check.

FOLLOW-UP INFORMATION: Keith checked with co-workers and was told this is not something that the City of Saskatoon regulates. It is handled through the Ministry of Labour Relations and Workplace Safety. Keith will continue to look into it.

➤ **Is a demolition permit required?**

Mark noted a permit is required for demolition as well as protection of City-owned boulevard trees is required.

➤ **Is there a regulation requiring developers to check if there are hazardous materials on the site prior to demolition of a building? If there is asbestos and proper precautions are not take it can be dangerous to neighbours.**

Keith noted developers are usually aware of what they are buying as it is a lot more expensive to clean up a site that has hazardous materials. Melissa noted when selling a house prior to it being sold most realtors will require a report as to what might be there. When developers put offers on homes would most likely want testing done or a report saying it was done to avoid these types of issues.

FOLLOW-UP INFORMATION: After consulting with other City of Saskatoon contacts we have determined that demolitions of buildings built prior to 1983 require an [Asbestos Removal Notification Form](#) to be submitted. This form provides notification for City of Saskatoon building inspectors and outlines the requirements for asbestos removal. Asbestos removal is regulated by the Province (Occupational Health & Safety).

Any Contractor (Developer) is obligated to follow the Regulations set out by the Ministry of Labour Relations and Workplace Safety in the Occupational Health and Safety Act (1993), and The OH&S Regulations (1996). These provincially mandated regulations are in place to ensure the safety of the Workers on site during the demolition process.

Section 381 (1)(a) of the Regulations states that: ***'All Chemical or biological substances that may be hazardous to workers during demolition are removed from the structure or the part of that structure that is being demolished'***

So essentially, it is the responsibility of the Contractor, or owner to have a comprehensive hazardous materials assessment done by a qualified professional to identify what hazardous materials are in the structure. This involves a site inspection, testing and visual identification of hazardous material. That professional will also come up with a control plan on how to safely remove and dispose of these materials prior to demolition.

The developer is also required to have a control plan to minimize dust during the demolition process. If the Contractor does not do this they are in violation of the Act and Regulations, will be issued with a Notice of Contravention, and risk a hefty fine and/or worksite closure by the Ministry of Labour Relations and Workplace Safety.

Most contractors will follow these rules but if they are not or if you have reason to suspect they are not please contact the Ministry of Labour Relations and Workplace Safety – Occupational Health and Safety Division at 1-800-567-7233.

Darryl noted a previous comment was brought forward that it seemed the City could change zoning if it suited what developer was proposing to be built. This is not the case. There is a long process to have zoning changed, it can take anywhere from 8 to 10 months for a review to be done including public meetings and ultimately the final decision is made by City Council.

Comments:

- On point of zoning, it is more concern that companies are given exemptions and allowed to do things that are not really allowed in zoning.

Darryl stated the City is bound to the Zoning Bylaws so exemptions are not given. Developers also have the right to appeal to the Development Appeals Board.

7. Closing Remarks

Attendees were thanked for coming out tonight.

If you have any questions or concerns that arise after this meeting, please feel free to contact either of them as we work through the local area plan process for Exhibition.

6. Next Meetings

Neighbourhood Safety Action Plan Meeting

Wednesday, May 1, 2019 – 7:00pm
Seventh Day Adventist Christian School – Gym

Riverfront Park Uses – Diefenbaker Park, Optimist Hill & Meewasin Trail

Wednesday, May 15, 2019 – 7:00 pm
Seventh Day Adventist Christian School – Gym

Meeting adjourned at 9:00 pm.

Exhibition Local Area Plan

Infill Development Exercise Summary – April 10, 2019

Infill development can have both positive and negative effects on established neighbourhoods.

Work together at your table to identify as many positive and negative effects of infill development in your neighbourhood as you can. Please provide a brief explanation of a few words as to why each is viewed as a good or bad impact on the area. You may find that some effects will be included on both lists, depending on individual opinions and preferences. If more space is needed, use the other side of this page.

After you have created a comprehensive list, as a group, identify the **TWO** most important positive effects and **TWO** most important negative effects.

Positive Effects of Infill Development

Group 1

- Tax benefit to the city
- Grateful for no more business
- Better buildings than on site
- Removal of abandoned buildings
- Sidewalk repair

Two most important: Renewal of housing & less urban sprawl

Group 2

- Renewal of housing
- New residents
- More families moving in – mixed neighbourhood
- More people paying taxes for that infrastructure
- Less urban sprawl
- More chance of retaining school
- Less urban decay

Two most important: Renewal and rejuvenation & a building is better than parking lot

Group 3

- New families moving into the neighbourhood
- Less rundown homes in neighbourhood
- Creating new homes in an old desirable neighbourhood

Two most important: Tax benefit to city infill & sometimes other infrastructures are fixed when infill is done e.g. pipes, roads, etc.

Group 4

- Renewal/Rejuvenation
- Building better than an empty lot

Two most important: New families moving into neighbourhood & removal of run down houses in area

Negative Effects of Infill Development

Group 1

- Parking
- Noise
- Traffic
- Style (non tradition houses)
- Cuts of street for new power, water, sewer
- Cracked sidewalks (no asphalt repair ever wanted)
- Sewer system strain
- River bank instability (apartment block)

Two most important: Not enough parking & houses not fitting into neighbourhood e.g. scale, character, etc

Group 2

- Not enough parking
- Privacy – 2 storey can see into yard
- Loss of sunlight 2 storey tall house
- Houses not fitting into neighbourhood – scale, character
- Overcrowding of parks/schools
- Infrastructure i.e. sewer issues to more traffic

Two most important: Parking & don't fit in style or size

Group 3

- Grading of new properties is different than adjacent property
- Affects the neighbour to the infill
- Loss of trees when infill are built
- Replacing of sewer lines affect our streets

Two most important: Increase of heavy traffic during constructions (early morning) & cracked sidewalks

Group 4

- Less available street parking

- Inadequate parking requirements
- Too big, overwhelming
- Don't fit in with neighbourhood - style or size
- Too close to each other
- Clear cut neighbourhoods of trees - private on their lot and adjacent
- Invade privacy, with window & decks
- Are speculating builders who don't care
- No regulations
- Shade yards & homes, block light
- Take up too much of yard space
- If the infill guidelines were regulations infill would be better

Two most important: Grade of property may have height difference which will affect drainage & loss of private property trees.