



111 Pinehouse Drive, Saskatoon & Live Streaming via GoToMeeting.com Monday, February 8, 2021 Call to Order @ 9:05 a.m. Meeting Suspended @ 9:45 a.m. Meeting Resumed @ 10:00 a.m. Meeting Adjourned @ 10:45 a.m. Meeting Time: 1 hr. 25 mins.

Planning Committee Minutes

Present

Attending: Reeve Harwood, Councillors: Germs, Chuhaniuk, Haduik, Greenwood (Electronically), Pruim (Electronically), Vaandrager and Trask

Absent: Councillor Froese-Kooijenga

Staff: Adam Tittlemore, Administrator; Rebecca Row, Director of Planning & Development; Jeremy Dela Cruz, Planner II; Brittney Beckie, Planner II; Audrey Shoard, Treasury/Corporate Records Clerk; Nicole Bowden, Administrative Assistant.

1. Call To Order

Due to Councillor Pruim attending electronically Reeve Harwood called the meeting to order at 9:05 a.m.

2. Adopt Agenda

The Committee approved the Planning Committee Agenda as presented.

Trask: That the Planning Committee Agenda be adopted.

Carried Unanimously

3. Planning Carryforward Action List

The Committee was presented with the Planning Carryforward Action List and updates pertaining thereto.

> Recommendation:

Haduik: That Council receive the Planning Carryforward Action List as presented.

Carried Unanimously

4. Delegation 9:00 a.m. – 102061562 Saskatchewan Ltd. (Baydo Development)

Background:

Council will recall a delegation from Baydo Development at the October 19 and December 14, 2020 Planning Committee Meetings regarding a request for a waiver to the Paved Industrial Road Standard for their four lot multi parcel industrial development on Parcel 'A'; NW-36-35-4-W3 which is located adjacent to the East Floral Industrial Park.

At the December 14, 2020 Committee meeting a recommendation was made to require Baydo Development to upgrade Range Road 3041 to a Primary Grid Road standard to 100 m past the most southerly property approach on Parcel 'A'; NW-36-35-4-W3, and that the property be included as benefitting lands should a future local improvement for road paving in the area be undertaken. At the December 21, 2020 Council meeting, the motion was deferred for R.M. Administration to report back on potential cash-in-lieu contributions for future road paving.

Update:

At the December 14, 2020 Planning Committee Meeting it was reported that the costs for paving the Slip Road (300 m) and Range Road 3041 (300 m) were estimated to be \$500,000 (\$250,000 for each segment), not including utility moves, borrow sources, design or construction engineering.

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There are a number of ways that the R.M. could have the Slip Road and Range Road 3041 paved including requiring the developer to do it up front as part of property servicing or through future R.M. led projects such as the scheduled 2023 Floral Road (Twp Rd 360) Repaving Project or other means such as a local improvement bylaw.

Should Council choose to not have the developer pave the road as part of initial property servicing, a cash-in-lieu contribution could be required to offset a future R.M. led road paving option. Recommended contribution amounts include:

1. 100% of Project Costs
 - Contribution of \$500,000 taken for future paving
2. Portion of Project Costs
 - Contribution of \$437,500 taken for future paving
 - 75% portion of the Slip Road upgrade costs and 100% of the Range Road 3041 costs; based on an assumption that the Lafarge site uses a portion of the Slip Road. The extra contributions for paving of the Slip Road would have to be funded by the R.M.
3. Frontage Portion
 - Contribution of \$125,000 taken for future paving
 - Based on property frontage
 - Slip Road - 300 m of frontage, however no frontage for the Baydo site along Slip Road so no contribution allocated. The contributions for paving of this road would have to be funded by the R.M.
 - Range Road 3041 - 300 m of frontage along east side of Baydo site which equates to a contribution of \$125,000. The extra contributions for this road would have to be funded by the R.M.

Council is not being asked select a paving option at this time, just the contribution amount that would offset future work. A contribution amount of \$437,500 is recommended by R.M. Administration (option 2).

Given the timelines involved, if Council chooses to take a contribution instead of requiring the paving as part of property servicing, it is recommended the contribution monies are collected by December 31, 2023 in line with the earliest R.M. led paving project. The terms of the payment would be outlined in the required servicing agreement for the subdivision and rezoning.

➤ **Recommendation:**

Germ: That Council require 102061562 Saskatchewan Ltd. (Baydo Development) to upgrade Range Road 3041 to a Primary Grid Standard to 100 m past the most southerly property approach on Parcel 'A'; NW-36-35-4-W3 as part of initial property servicing, and a \$125,000 cash-in-lieu contribution towards future road paving be provided by December 31, 2023.

Carried Unanimously

5. **Saskatoon North Partnership for Growth (P4G) Update**

Background:

The last Regional Oversight Committee (ROC) meeting was held on January 28, 2021; discussions included an update on the P4G Zoning Bylaw, a revised 2021 P4G work plan and an update on the North Concept Plan. The next Regional Oversight Executive Committee (REC) meeting is scheduled for February 25, 2021.

The drafting of the District Zoning Bylaw is working through its final phases. A draft bylaw was provided to Corman Park on January 4, 2021 for review and comment to provide any major flags or areas of concern. The District Zoning Bylaw is now undergoing urban municipal prior to legal review/final edits. An update on the next steps, including any final public engagement is expected at the February REC meeting so any R.M. Council preferences should be identified at this time (i.e. posting the draft bylaw for public review prior to First Reading). It is expected the District Zoning Bylaw will be forwarded to Corman Park for a public hearing and bylaw readings in April.

Following Corman Park approval, the P4G District Official Community Plan, P4G Planning District Agreement, and P4G District Zoning Bylaw will be sent to the

Province for review and ministerial approval and establishment of the P4G Planning District in summer 2021.

Work continues on the P4G North Concept Plan; a final plan was provided for municipal review and comment by February 5, 2021. An update on the next steps is expected at the February REC meeting followed by ROC endorsement and municipal approvals; more information will be provided once available.

➤ **Recommendation:**

Trask: That the Saskatoon North Partnership for Growth (P4G) update be received as information.

Carried Unanimously

6. **Proposed Textual Amendments – Blumenheim Policy Framework**

Background:

Council will recall considering a report at the December 14, 2020 meeting in relation to public engagement and the proposed land use and subdivision policy options available for Blumenheim. This report outlines the specific proposed textual amendments to the Agricultural Residential 3 (AR3) Zoning District of the R.M. Zoning Bylaw.

If Council is accepting of the proposed changes, a bylaw for First Reading would be drafted. It is also recommended that the draft bylaw be provided to Blumenheim ratepayers for comment prior to Council considering First Reading to ensure any final considerations have been made. The alternative would be to proceed with First Reading and any comments would be considered at the public hearing; however any changes to the bylaw after that time would require the bylaw to be re-drafted and a new public hearing held. Council should determine their course of action.

Analysis:

The following revisions are shown using track changes and include explanations on the intent after the policies.

SCHEDULE D - AR 3 - AGRICULTURAL RESIDENTIAL 3 DISTRICT - BLUMENHEIM

1. **THE INTENT OF THE AR 3 DISTRICT SHALL BE:**

~~To accommodate the agricultural residential development of the historic Mennonite Settlement of Blumenheim while retaining or re-establishing the long lot form of development typical of traditional Mennonite Settlements and retaining the agricultural character of these settlements.~~

To accommodate new agricultural residential development in the historic Mennonite settlement of Blumenheim that complements and retains its existing agricultural character.

- Revisions to the intent are being made to remove the reference to retaining the long lot form of traditional Mennonite settlements and to reinforce the existing agricultural residential nature of the community and expectations for new development.

2. **THE DESIGNATED AR 3 DISTRICT INCLUDES THE FOLLOWING:**

Those lands identified on the Municipality's detail zoning maps labeled NE30.39.3, NE 31.39.3 and SE31.39.3.

- The revision is made to include the NE31.39.3 quarter section of land that is part of Blumenheim. This is a housekeeping amendment to include the quarter section which is currently zoned AR3.

3. **THE PERMITTED USES IN THE AR 3 DISTRICT SHALL BE:**

In the Agricultural Residential 3 District (AR 3) no person shall use any land, building or structure or erect any buildings or structure except in accordance with the following provisions:

3.1 **THE PRINCIPAL PERMITTED USES SHALL BE:**

- a) Agricultural Operation
- b) Home Occupation
- c) Intensive Agricultural Operation – Horticulture
- d) Municipal Facility

- e) Park
- f) Public Utilities
- g) Single Detached Country Residence
- The revision is made to put these uses in alphabetical order, add home occupation as a permitted use and remove municipal facility from the list of permitted uses.
 - 3.2 THE DISCRETIONARY USES SHALL BE:
 - a) Agricultural Support Service
 - b) Agricultural Tourism Use
 - c) Bed and Breakfast Home
 - d) Community Care Facility
 - e) Community Facility
 - f) Day Care Service
 - g) Equestrian Facility
 - h) Garden Suite
 - i) Home Based Business
 - j) Mobile Home as a country residence
 - k) Secondary Suite
 - l) Vacation Farm
 - The revision is made to put these uses in alphabetical order, add agricultural support service, community facility, day care service and equestrian facility to the list of discretionary uses.
 - 3.3 DISCRETIONARY USES SHALL BE DETERMINED BASED ON THE FOLLOWING CRITERIA:
 - a) Consistency and recognition of with the character and scale of existing developments;
 - b) Fit with the residential frontage typical of the community;
 - c) Evident recognition of the historic form and character of the settlement; and
 - c) Evidence of significant community support for the proposed use; and
 - d) Compatibility with the purpose, character, scale and density of the zoning district and surrounding area;
 - The revisions are made to ensure discretionary uses are compatible with the surrounding community and to reinforce the specific requirements of the AR3 Zoning District as discretionary uses are required to have evaluation criteria established. In this case discretionary uses will be set against additional criteria than other zoning districts in the R.M. Zoning Bylaw.
 - ~~3.4 SPECIFIC DEVELOPMENT STANDARDS FOR DISCRETIONARY USES:~~
 - ~~a) For the purposes of this zoning district, a home based business may also include an equestrian facility, day care service, abattoir, or a pet care facility subject to compliance with the development standards for a home based business in addition to any other standards prescribed by this Bylaw for a specific use.~~
 - This section is proposed to be deleted and specific allowable uses such as equestrian facility and day care service have been added to the list of discretionary uses. Abattoirs and pet care facilities are not proposed to be added based on the intent of the district and feedback received during public consultations.
 - 3.5 THE PERMITTED ACCESSORY USES SHALL BE:
 - a) Any buildings, structures or uses which are customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
 - b) Home occupations.
 - The revision removes home occupation from subsection 3.5 and adds it to the list of discretionary uses in subsection 3.2.
 - 4. THE SITE REGULATIONS IN THE AR 3 DISTRICT SHALL BE:

In addition to the general provisions contained in this Bylaw the following regulations shall apply to every development in this district.

 - 4.1 SUBDIVIDING LAND:
 - a) There shall be a maximum of one single severance subdivision taken from an existing site.
 - This policy provides clarification on how many yard sites are permitted to be subdivided out from a parcel. The intent is to allow for one severance whereas currently only subdivisions are restricted.
 - THE AREA REQUIREMENTS FOR SINGLE SEVERANCE SUBDIVISIONS PERMITTED AND DISCRETIONARY USES SHALL BE:

~~a) The minimum site area is 1 ha (2.47 acres). There is no maximum site area.~~

~~b) The maximum site area shall be 4.05 ha (10 acres).~~

THE AREA REQUIREMENTS FOR AGRICULTURAL HOLDINGS SHALL BE:

~~a) Remnant portions of existing agricultural holdings resulting from subdivision of new lots shall have no minimum or maximum site area.~~

- These policies provide clarification on minimum and maximum parcel sizes for single severance subdivision and remnant portions of existing lots. Given the irregular nature of existing parcel layouts, it is recommended to have no minimum and maximum site area for parcels subject to a single severance subdivision. Other minimum parcels sizes are consistent with lot requirements in the R.M. Zoning Bylaw.

4.2 THE LOT CONFIGURATION REQUIREMENTS:—FOR PERMITTED AND DISCRETIONARY USES SHALL BE:

~~a) The minimum lot frontage shall be 3085 metres (114.8278.9 feet) excepting lots existing prior to the passing of this bylaw and lots required for Public Utilities.~~

~~b) Excepting corner lots, all new lots shall front on Township Road 395 or Township Road 400 (Neuhorst Road) shall be the existing depth of the parcel at the time of passage of this bylaw. Depth to frontage ratios may exceed three to one.~~

~~c) The subdivision of a yard site for an existing single detached dwelling is exempt from observing the recommended separation distances from an existing ILO.~~

- Revisions to a) are made to change the minimum frontage requirement from 85 metres (278.9 feet) to 30 metres (114.8 feet) to allow for further subdivision potential. The current minimum lot frontage of 85 metres precludes most properties in Blumenheim from being able to subdivide. Reducing the minimum lot frontage to 30 metres allows for minimum road requirements to be satisfied and allows for further subdivision.
- The revision to b) is made to exempt remnant corner lots from having to front onto Township Road 395 or 400. Requiring all corner lots to front onto Township Road 395 or 400 will prevent proposed subdivision designs from being approved as shown. This policy allows for subdivision flexibility despite losing some of the street oriented village character.
- The addition of c) is made to clarify that subdivisions for existing single detached dwellings are exempt from having to comply with the recommended separation distances from an existing ILO. All properties in Blumenheim are within separation distances from surrounding ILOs. This policy allows for existing single detached dwellings to be subdivided out without requiring Council approval to waive separation distance requirements.

5. THE SITING OF PRINCIPAL AND ACCESSORY USES SHALL BE IN ACCORDANCE WITH THE FOLLOWING:

5.1. Building setbacks for principal and accessory buildings:

~~a) Front yards - all new buildings shall be set back a minimum of 8 metres (26.2 ft) from the front site line.~~

~~b) Side yards - all buildings shall be set back a minimum of 3 metres (9.8 ft) from the side property line.~~

~~c) Rear yards - all buildings shall be set back a minimum of 3 metres (9.8 ft) from the rear property line.~~

~~5.2. All new residences shall be located within 50 metres (328 ft) of the front site.~~

~~5.3. Non-agricultural accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal residence.~~

~~5.4. The maximum building height shall be 10 metres (32.8 ft).~~

~~5.5. New animal containment structures shall be directed toward the rear of the site, located a minimum of 100 metres from the centerline of Township Road 395 or Township Road 400, and shall be kept back 100 metres from existing wells.~~

- The revision is made to clarify that new animal containment structures must be at least 100 metres from the centerline of Township Road 395 and Township Road 400 to keep with the character and nature of existing development on Township Road 395.

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6. THE REGULATIONS GOVERNING THE KEEPING OF LIVESTOCK IN THE AR 3 DISTRICT SHALL BE:

In this district, the keeping of livestock shall be in conformity with livestock regulations adopted by the Municipality from time to time and for the purpose of this zoning district will adhere to the following table;

Parcel-Size	Maximum Number of Animal Units Permitted Excluding Poultry
0.0 ha to 5 ha (12.35 acres)	8
Greater than 5 ha (12.35 acres)	16

~~6.1. The keeping of poultry shall be permitted in accordance with the following schedule:~~

~~Ducks, Geese, or Turkeys – Maximum of 20 birds~~

~~Chickens and other Poultry – Maximum of 50 birds~~

- The section is proposed to be deleted and this information transferred to the Keeping of Animals – Bylaw No. 10/15 for consistency in implementation.

7. THE SIGN REGULATIONS IN THE AR 3 DISTRICT SHALL BE:

In addition to the General Regulations contained in this Bylaw, the following additional development standards shall apply to the placement or erection of signage within an AR3 District:

<p>All Permitted and Discretionary Uses Agricultural Operation, Intensive Agricultural Operation – Horticulture, Agricultural Support Service, Agricultural Tourism, Bed and Breakfast Home, Community Care Facility, Community Facility, Day Care Service, Equestrian Facility and Vacation Farm</p>	<ol style="list-style-type: none"> 1. One (1) non-illuminated multi-faced free standing sign shall be permitted per building frontage not exceeding a gross surface area of 2 m² (21.5 ft²) and a height of 2.5 m (8.2 ft). 2. Where a building maintains direct exposure to more than one public right-of-way, a second free standing sign shall be allowable following the previous regulations.
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- The revision is made to remove uses such as home occupation from the list of uses permitted to have a sign. Uses such as home occupation should not be noticeable and therefore signage is not permitted.

~~8. EXISTING SITES SHALL BE CONSIDERED IN THE FOLLOWING MANNER:~~

~~8.1. Any site which does not conform to the minimum area or lot configuration requirements for the AR 3 District, but which existed prior to the passing of this Bylaw, shall be deemed to be a conforming site.~~

~~8.2. Residual portions of existing lots (9.1, above) resulting from subdivision of new lots fronting on Township Road 395 shall be deemed to be a conforming site. (Bylaw 44/07, Approved January, 2008)~~

- These clauses are proposed to be removed as these statements are redundant and some of the language has been incorporated elsewhere within the AR3 District.

➤ **Recommendation:**

Pruim: That R.M. Administration draft a bylaw for first reading based on the provisions outlined in this report, including revisions to address the existing ILO within Blumenheim, and that the draft bylaw be provided for public viewing prior to first reading.

Carried Unanimously

7. Unpermitted Septic System Approvals

Background:

Council will recall asking R.M. Administration to bring information regarding septic approvals and municipal requirements at the October 26, 2020 Council meeting. At that meeting a number of planning files included information regarding unapproved private sewage systems and how they were being handled retroactively.

ATP

Analysis:

During development and building permit, rezoning and/or subdivision review, R.M. Administration will oftentimes engage with the Saskatchewan Health Authority (SHA) regarding existing or proposed septic system installations. SHA is responsible for issuing septic permits making sure the design and installation meets the minimum requirements as regulated by the *Private Sewage Works Regulations*. SHA requires the person applying for a permit to be a qualified installer.

However during these referrals, many times a response will be received that the SHA has never approved permits and the system is existing and operational. Many times this is noted without SHA or the R.M. having not received any complaints, but the system is still unpermitted.

One of the main considerations for Corman Park is that SHA has no legal responsibility or jurisdictional authority when it comes to operational issues, and this is left to the R.M. to deal with as a nuisance through *The Municipalities Act*. Even if SHA agrees there is a septic nuisance, it becomes a municipal issue and SHA would only get involved in issuing an order if the nuisance escalated to a health hazard. Given the legislation, prevention of nuisances and health hazards is always the preferred goal when it comes to septic system operations.

When situations arise where a system has been unapproved but installed, the R.M. tries to work with the applicant on a solution. This may involve the applicant hiring a qualified septic installer to fully assess the current system. The septic system would have to be exposed, wherever reasonably required by the septic professional, to be assured that all connections, seals and sizing, and slope requirements of the system are known. Landowners are generally not classified by the SHA as a qualified person and are unable to do this work to verify the unpermitted installation.

An alternative option would be to have a qualified installer design and install a new system. This may be needed if the professional comes to the opinion that the current system cannot reasonably be made compliant to the regulations and would refuse to take on the liability of permitting or upgrading the existing illegal system.

Since the R.M. requires a valid septic permit in order to issue building permits, there have been some enforcement situations that have arisen where a building permit cannot be issued retroactively as the septic system remains unapproved. In some situations the residence was constructed without building permits and the septic system was installed without permits, making issuance of retroactive permits for both challenging. Many times the current landowner does not want to spend the money to get their system approved retroactively and unpermitted development remains a challenge.

R.M. Administration has also received mixed messaging from the SHA in that they have suggested they cannot retroactively issue a septic permit and that it can only be a new system that is approved. It has been suggested that the R.M. has to take the responsibility of issuing the septic approvals for unpermitted systems. These discussions occurred just prior to the COVID-19 pandemic whereas now many SHA staff were re-assigned duties and R.M. Administration has not been successful in follow up discussions in this regard. It appears problematic to take on this responsibility as R.M. Administration are not experts in the *Private Sewage Works Regulations*.

However, the intent is to limit the R.M.'s risk and liability in these situations recognizing the unpermitted development that may have not been built to code or regulation and that the R.M. is responsible for enforcement. Additionally, by catching system failures early in the process, risk to natural and ecological systems is minimized. R.M. Administration will continue to work on a case by case basis to rectify unpermitted septic systems and will report back further on this issue once clarifications have been provided by SHA.

➤ **Recommendation:**

Chuhaniuk: That Council receive the report on unpermitted septic system approvals as information.

Carried Unanimously

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The Planning Committee Meeting was suspended at 9:45 a.m. to go to the Administration Committee Meeting.

The Planning Committee Meeting was resumed at 10:00 a.m.

8. Delegation 10:00 a.m. – Ministry of Highways – Saskatoon Freeway Functional Planning Study: Phase 2

The Ministry of Highways (MOH) is engaging in a functional planning study which will determine how the Saskatoon Freeway will look and operate in the future, including setting where the centre line of the road will be and defining the type of interchanges, service roads and accesses on and off the freeway.

This freeway begins at Highway No. 11 south of Saskatoon wrapping around the city to connect with Highway No. 7 west of the city. The functional planning study is broken into three phases starting in the north, with the second phase being from the South Saskatchewan River east to Highway No. 11 south of Saskatoon. The phase 1 portion is drawing to a close and the second phase of the study has begun. The first round of public engagement on phase 2 is set to begin in February 2021; due to COVID-19 it will be held virtually at www.saskatoonfreeway.org.

Geoffrey Meinert, Senior Project Manager with MOH was in attendance and provided an update on the second phase of the study specifically around some of the issues between Highway No. 41 and the river. However, numerous route options for the entire second phase segment will be shown to stakeholders and the public to receive additional input at the upcoming public engagement.

9. Adjourn Meeting

Germs: That the Planning Committee meeting be adjourned at 10:45 a.m.

Carried Unanimously



Administrator