

CITY OF YORKTON
REGULAR COUNCIL MEETING AGENDA
Monday, September 9, 2024 - 5:00 p.m.
Council Chambers, City Hall

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **PUBLIC ACKNOWLEDGEMENTS**
4. **APPROVAL OF MINUTES**
 - a. Regular Council Meeting Minutes – August 19, 2024
5. **UNFINISHED BUSINESS**
6. **REPORTS OF COUNCIL COMMITTEES AND MATTERS REFERRED**
 - a. Protective Services Committee Meeting Minutes – June 27, 2024
7. **HEARING OF PETITIONS, PUBLIC NOTICES AND PRESENTATIONS**
 - a. Yorkton Minor Baseball – Capital Investment to Refurbish Existing City-Owned Facility for Indoor Baseball/Softball Training and Other Sports
 - b. Public Hearing – Bylaw No. 11/2024 – Amendment to Zoning Bylaw No. 14/2003 – Regulations for Storage Compounds/Facilities
 - c. Public Hearing – Bylaw No. 12/2024 – Rezone 1,5 & 9 Cook Drive from R-1A Small Lot Residential to R-5 Mixed Density Residential
8. **BUSINESS ARISING OUT OF PETITIONS, PUBLIC NOTICES AND PRESENTATIONS**
 - a. Director of Planning, Building & Development
 - Bylaw No. 11/2024 – Amendment to Zoning Bylaw No. 14/2003 – Regulations for Storage Compounds/Facilities [2nd & 3rd Readings]
 - b. Director of Planning, Building & Development
 - Bylaw No. 12/2024 – Rezone 1,5 & 9 Cook Drive from R-1A Small Lot Residential to R-5 Mixed Density Residential [2nd & 3rd Readings]
9. **CORRESPONDENCE**
10. **BYLAWS**
 - a. Fire Chief/Bylaw & Safety Supervisor
 - Bylaw No. 9/2024 – Amendment to Bylaw No. 15/2010 – Fire Prevention Bylaw
11. **ADMINISTRATIVE REPORTS**
12. **GIVING NOTICE OF MOTION**
13. **IN CAMERA SESSION**
 - a. Budgetary Item A
 - b. Budgetary Item B
 - c. Budgetary Item C
14. **ADJOURNMENT**

Protective Services Committee

MINUTES

June 27, 2024

7:00 AM

Yorkton Fire Protective
Services

Attendees	Andrew Sedley, Bylaw & Safety Supervisor Nicole Baptist, Mayor Mitch Hipsley, Michelle Goulden, Larry Pearen, CN Constable Hank Neumiller, Fire Chief Trevor Morrissey, Laretta Ritchie-McInnes, Staff Sgt. Burton Jones, PSAR Dale Hintz, Dr. Rasak Abdullahi
Regrets	Councillor Dustin Brears, Scott Robertson
Absent	
Recording	Jen Prysliak
Call to order	7:01 a.m.
Adjourn	8:05 a.m.

Agenda Topics

Approval of Agenda

Motion 24-7	Pearen The agenda be approved as circulated. Carried
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Approval of April 9, 2024 Meeting Minutes

Discussion	Minutes from the April 9, 2024 meeting were circulated.
Motion 24-8	Goulden Minutes of April 9, 2024 meeting be approved as circulated. Carried.

In Camera Session

Motion 24-9	Goulden Motion to go in camera. Approved and Carried.
Other Item A	
Motion 24-10	Pearen Motion to move out of in camera. Approved and Carried.

Next Meeting

Tuesday August 13th, 2024 @ 7:00 a.m.

Adjournment

Motion 24-11

Ritchie-McInnes

That the Protective Services Committee Meeting be adjourned at 8:05 a.m. Carried.

X

Andrew Sedley

Andrew Sedley
Chairperson

X

Jen Prysliak

Jen Prysliak
Secretary

Amanda Dietz

From: noreply@esolutionsgroup.ca
Sent: Wednesday, August 28, 2024 4:28 PM
To: Amanda Dietz
Subject: New Response Completed for Request to Appear Before Council Form

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: External Email

Hello,

Please note the following response to Request to Appear Before Council Form has been submitted at Wednesday August 28th 2024 4:24 PM with reference number 2024-08-28-006.

- **First name:**
Evan
- **Last Name:**
Wasylyniuk
- **Committee/Organization name:**
Yorkton Minor Baseball
- **Address:**
[REDACTED]
- **City:**
Yorkton
- **Province:**
Saskatchewan
- **Postal code:**
[REDACTED]
- **Name:**
Evan Wasylyniuk & Ashley Benko
- **Title:**
NA
- **Daytime phone number:**
[REDACTED]

- **Email:**



- **Date of request:**

8/28/2024

- **Date of council meeting that the presenter is wishing to attend:**

9/9/2024

- **Topic being presented:**

Capital Investment to Refurbish Existing City-Owned Facility for Indoor Baseball/Softball Training and Other Sports

- **Description of request: (Clearly state what is being asked of Council. Provide detailed information about why the information is being presented and the importance to the community)**

Request that council consider 2025 capital investment in updating flooring at the Agri-pavillion, or another city-owned facility, to a multi-sport field turf so the facility can be rented by Yorkton Minor Baseball Inc., Yorkton Crush Softball Inc., and other sport organizations (e.g., Yorkton Minor Football, Yorkton Minor Hockey, Archery, etc) that would benefit from using a large indoor field turf facility. Request that council advise the Parks and Recreation department to collaborate with Yorkton Minor Baseball and Yorkton Crush Softball to explore flooring options and wall covering options for the Agri-pavillion space or other city-owned facility for council to consider in the 2025 capital investment budget.

Yorkton Minor Baseball and Yorkton Crush Softball are home to approximately 430 youth baseball and softball players. Our organizations are experiencing consistent growth and interest in baseball/softball and are working together to locate a safe and appropriate indoor space to support the offseason and in-season development of our players. For decades we have used private and public facilities, specifically school gymnasiums, the Kinsmen Arena, the Gloria Hayden Community Centre, the Gallagher Centre Flexi Hall, and the Agri-pavillion for off-season training and early spring training. The challenge is that all of these facilities are not appropriate for baseball and softball training because the flooring, wall covering, and wall colours are not developed for baseball and softball training. For example, the concrete white walls in school/city gymnasiums often create challenges for our athletes to see softballs/baseballs that are thrown/hit, the space is usually too small to safely space our athletes, and the hard flooring leads to unnaturally high bounces. The Flexi Hall is ideal for space but the white curtain lends to significant difficulties for our athletes to see the ball, which leads to injuries every year. The flooring, although better than the concrete at the Kinsmen Arena and Agri-pavillion, still produces unnaturally high bounces that cause injury and reinforce improper fielding mechanics for our athletes. Despite these challenges, we continue to use the facilities when they are available to us and mitigate the risks and challenges the best we can.

Ultimately, we require a large multi-sport field turf facility for all of our athletes to

practice and train in from primarily January to May, with the option to use the facility in June and July when we have rainouts. This would allow our athletes to benefit from safe and appropriate indoor facilities offered to athletes that reside in other locations such as Regina, Moose Jaw, Weyburn, and Saskatoon. We perceive upgrade investments in a city owned facility is a cost-effective, and likely the only, way to support the development of our athletes and the substantial interest youth have to play baseball and softball in Yorkton.

[This is an automated email notification -- please do not respond]

DUMBBELLS AND DIAPERS
with Joanne Fourie

Gallagher Centre Flexihall
September 10th - October 3rd
Tuesdays & Thursdays | 9:30 am - 10:30 am

8 sessions for only \$112.50

SPACE IS LIMITED!
Register at cityofyorkton.perfectmind.com




City of Yorkton

summer
SCULPT + SWEAT
with Joanne Fourie

Gallagher Centre Flexihall
September 11th to October 14th
Monday and Wednesday
6:00 a.m. to 7:00 a.m.

only \$112.50
for 10 sessions

Register at 306-786-1740 or at
cityofyorkton.perfectmind.com




City of Yorkton

Yorkton SPORTS BANK
PLAY IT FORWARD

Do you have sports equipment that you no longer use?
Donate your unused or unwanted sports equipment to the Sports Bank and make a difference!

The Yorkton Sports Bank collects and distributes both used or unwanted sports equipment, ensuring everyone has the opportunity to enjoy and excel in their favorite sports.

Drop off your unused or unwanted sports equipment in the red bin at the Gallagher Centre and give your old equipment new life and help support local athletes.

Book an appointment to visit the Sports Bank with the District Dream Broker by calling 306-828-2401 or at www.yorkton.ca/sportsbank

Brought to you by
City of Yorkton




GENERAL INQUIRIES:
306-786-1700

Public Notice
Amendment to Zoning Bylaw No. 14/2003
Bylaw No. 12/2024 – Proposed Rezoning of 1, 5 & 9 Cook Drive



Legal Description: Lots 1, 2 & 3, Blk/Par 2, Plan 102113581
Civic Address: 1, 5 & 9 Cook Drive
Current Zoning: R1-A Small Lot Residential
Proposed Zoning: R-5 Mixed Density Residential

Details: Yorkton City Council will consider Bylaw No. 12/2024, an amendment to Bylaw No. 14/2003, to rezone 1, 5 & 9 Cook Drive from R1-A Small Lot Residential to R-5 Mixed Density Residential to allow for multi-unit and mixed density dwellings.

Pursuant to *The Planning and Development Act, 2007*, the amendment is to be publicly advertised before Council makes their final decision.

Public Hearing: City Council will hear all persons who are present and wish to speak to the proposed amendment and all written submissions will be read verbatim, unless the submitter is in attendance to speak on the submission, on **Monday, September 9, 2024 at 5:00 p.m. in City Hall Council Chambers, Yorkton, SK.**

Written Submissions: If you wish to provide written comments for Council's consideration, they must be submitted by 9:00 a.m. on Wednesday September 4, 2024. Written submissions must be directed to:

Jessica Matsalla, Director of Legislation and Procedures
In Person: 37 Third Avenue North, Yorkton, SK
Via Mail: Box 400, Yorkton, SK S3N 2W3
Via Email: jmatsalla@yorkton.ca

For More Information:
To see the full report on this application, and the proposed bylaw, please visit www.yorkton.ca. Click or tap on the "Council Meetings" link and select "Agenda and Information Package" for the August 19, 2024 Regular Council Meeting. The report will be found in the Information Package that follows the Agenda.

Questions regarding the proposed bylaw may be directed to:

Michael Eger, Director of Planning, Building & Development
Phone: (306) 786-1710
Email: planningservices@yorkton.ca

Public Notice
Proposed Zoning Bylaw Amendment to Amend Text

Details: Yorkton City Council will consider Bylaw No. 11/2024, a text amendment to Bylaw No. 14/2003, to:

Firstly, to amend the Land Use definition of Storage Compounds/Facilities by deleting the current definition to be replaced with the following:

"Storage Compounds/Facilities: A development used for the exterior or interior storage of items, including, but not limited to vehicles, personal items, products/and or equipment."

Secondly, by adding the following Special Use Provisions for Storage Compounds/Facilities:

"Storage Compounds/Facilities uses adjacent to Provincial/through highways, arterial and/or collector roadways shall be screened to minimize the visual appearance from the adjacent roadway. Screening may be in the form of landscaping, fencing or a combination of the two and shall sufficiently obscure the view of the use from the ground to a height of 1.85m (6')."

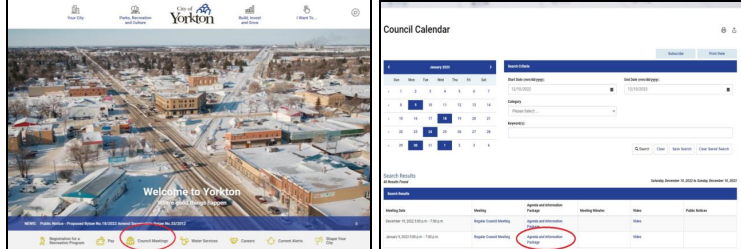
And thirdly, to add Storage Compounds/Facilities as Permitted Uses in the Heavy Industrial (MI-2) zoning district.

Public Hearing: City Council will hear all persons who are present and wish to speak to the proposed amendment and all written submissions will be read verbatim, unless the submitter is in attendance to speak on the submission, on **Monday, September 9, 2024 at 5:00 p.m. in City Hall Council Chambers, Yorkton, SK.**

Written Submissions: If you wish to provide written comments for Council's consideration, they must be submitted by 9:00 a.m. on Wednesday, September 4, 2024. Written submissions must be directed to:

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Questions regarding the proposed bylaw may be directed to:

Planning Services
Phone: (306) 786-1710
Email: planningservices@yorkton.ca

REPORT TO COUNCIL

TITLE: Bylaw No. 11/2024 – Amendment to Zoning Bylaw No. 14/2003 – Regulations for Storage Compounds/Facilities 2 nd & 3 rd Readings	DATE OF MEETING: September 9, 2024
	REPORT DATE: September 4, 2024
CLEARANCES:	ATTACHMENTS: 1. August 19, 2024 Council Report
Written by: Michael Eger - Director of Planning, Building & Development <p align="center">Michael Eger</p>	
Reviewed by: Jessica Matsalla – City Clerk <p align="center">Jessica Matsalla</p>	
Approved by: Brad Hvidston – City Manager <p align="center">Brad Hvidston</p>	

Summary of History/Discussion:

Bylaw No. 11/2024 proposes to amend Zoning Bylaw No. 14/2003 by changing regulations for Storage Compounds/Facilities. More specifically, the amendment proposes: firstly, to change the definition; secondly, to add special use considerations; and thirdly, to allow the use in the MI-2 Heavy Industrial zone. The net effect will be to lessen screening requirements for Storage Compounds when they are not located along highways, arterial or collector roadways. A full review and analysis was presented to Council at the August 19th meeting (Attachment 1).

This report is in consideration 2nd and 3rd Readings of the bylaw, summarizing input from the Planning & Infrastructure Commission and responding to inquiries received as part of the public notice process.

Planning & Infrastructure Commission

The bylaw was referred to the Planning and Infrastructure Commission at their August 28, 2024 meeting. The Planning and Infrastructure Commission plays an important part in civic government by providing representation from a broad spectrum of the community to assist City Council in their decision making. City Administration provides recommendations for the Commission to consider which are based on sound land use planning practices, including relevant policies and procedures. The Commission, however, is not bound by the Administrative recommendation and is free to carry any motion they see fit, including recommendations either to approve, to approve with conditions, or to deny applications.

The Commission considered potential negative effects to surrounding properties, which include the proliferation of heavy truck traffic and its impact on aging road infrastructure. However, the Commission also noted barriers to reinvestment for infill properties, and that positive outcomes would likely outweigh the negative. The Commission unanimously carried a recommendation that the zoning amendment be approved by Council.

Public Notice:

The proposed bylaw was advertised and circulated in accordance with the City's public notification requirements, including advertisement in the local paper, at City Hall and on the City website. Written submissions and persons wishing to speak to the amendment will have the opportunity to present to Council during the Public Hearing.

As of the date of this report, Planning Services has not received any inquiries or comments with regards to the proposed amendment.

Options:

1. That Bylaw No. 11/2024 be given 2nd & 3rd Readings.
2. That Bylaw No. 11/2024 be denied for reasons as listed by Council.
3. That Administration be provided with alternative direction.

Administrative Recommendation:

1. That Bylaw No. 11/2024, a Bylaw of the City of Yorkton in the Province of Saskatchewan to amend Zoning Bylaw No. 14/2003 firstly by clarifying the definition of Storage Compounds/Facilities, secondly by adding special use provisions for Storage Compounds/Facilities adjacent to highways, arterial and collector roadways and thirdly, by adding Storage Compounds/Facilities as Permitted uses in the MI-2 Heavy Industrial zoning district be given 2nd Reading his 9th day of September, A.D., 2024; and

That Bylaw No. 11/2024, a Bylaw of the City of Yorkton in the Province of Saskatchewan to amend Zoning Bylaw No. 14/2003 firstly by clarifying the definition of Storage Compounds/Facilities, secondly by adding special use provisions for Storage Compounds/Facilities adjacent to highways, arterial and collector roadways and thirdly, by adding Storage Compounds/Facilities as Permitted uses in the MI-2 Heavy Industrial zoning district be given 3rd Reading this 9th day of September, A.D., 2024 and entered in the City of Yorkton bylaw registry.

Attachment 1



REPORT TO COUNCIL

TITLE: Bylaw No. 11/2024 – Amendment to Zoning Bylaw No. 14/2003 – Regulations for Storage Compounds/Facilities	DATE OF MEETING: August 19, 2024 REPORT DATE: August 14, 2024
CLEARANCES:	ATTACHMENTS: <ol style="list-style-type: none"> 1. Bylaw No. 1/2024 2. Zoning Map 3. Roadway Classification Map 4. Draft Bylaw No.11/2024 5. Public Notice
Written by: Michael Eger - Director of Planning, Building & Development <div style="text-align: center; color: red;">Michael Eger</div>	
Reviewed by: Jessica Matsalla – City Clerk <div style="text-align: center; color: red;">Jessica Matsalla</div>	
Approved by: Brad Hvidston – City Manager <div style="text-align: center; color: red;">Brad Hvidston</div>	

Summary of History/Discussion:

In January, Council passed Bylaw No. 1/2024 to amend Zoning Bylaw No. 14/2003 (the Zoning Bylaw) by adding Storage Compounds/Facilities as a Discretionary Use in the C-3 Highway Commercial zoning district, and by creating special use provisions for the use (see Attachment 1). In response to interest for storage uses on industrial-zoned lands, Administration has identified additional items for consideration relating to the Storage Compound/Facilities use.

Administrative Review

The Zoning Bylaw currently defines Storage Compounds/Facilities as *“A development used for the enclosed interior or screened and enclosed exterior storage of vehicles, personal items, or products.”* The Zoning Bylaw lacks a definition which allows for unenclosed or unscreened storage. Establishing screening and fencing regulations within a definition is atypical, as they would normally be implemented through the distinct zoning districts. As it stands, these regulations are the same in the City’s industrial districts as in commercial districts.

The purpose of requiring fencing and screening for a storage use is to: improve aesthetics for neighbours and the travelling public; protect property values of surrounding properties; and encourage investment in-and-around these areas. The requirement for fencing and screening in industrial zones, away from high visibility roadways, does not serve the same importance.

Attachment 1, continued

As a result, Administration proposes Bylaw No. 11/2024 (see Attachment 4) containing the following zoning bylaw amendments:

Firstly, to amend the Land Use definition of Storage Compounds/Facilities by deleting the current definition to be replaced with the following:

“Storage Compounds/Facilities: A development used for the exterior or interior storage of items, including, but not limited to vehicles, personal items, products/and or equipment.”

Secondly, by adding the following Special Use Provisions for Storage Compounds/Facilities:

“Storage Compounds/Facilities uses adjacent to Provincial/through highways, arterial and/or collector roadways shall be screened to minimize the visual appearance from the adjacent roadway. Screening may be in the form of landscaping, fencing or a combination of the two and shall sufficiently obscure the view of the use from the ground to a height of 1.85m (6”).”

And thirdly, to add Storage Compounds/Facilities as Permitted Uses in the Heavy Industrial (MI-2) zoning district.

Official Community Plan

The Official Community Plan (OCP) is silent to this specific land use, but does support industrial development as a “critical part of the City” (Section 3.1.9). At the same time, the OCP acknowledges that industrial development should be physically separated from incompatible land uses such as residential and high-density commercial (Section 3.1.9). The OCP goes on to state that we will “establish standards for the enhancement of gateways into the City that will increase the prominence of these areas and create a positive, lasting impression” (Section 4.1.1[2]) and “ensure that Yorkton’s commercial corridors contribute positively to the aesthetics of the City’s gateways” (Section 4.4.3[5]). The proposed amendment would therefore be consistent with policies of the OCP.

Public Notice

Should Council wish to proceed with 1st Reading, Administration will proceed with the required Public Notice (Attachment 5), which includes advertisement in the local newspaper, at City Hall and on the City website. The required Public Hearing would be set for the next Council Meeting being Monday, September 9, 2024, after which Council may proceed with 2nd and 3rd Reading.

The proposed amendment will also be referred to the Planning and Infrastructure Commission before it is brought back to Council for their review, input and decision, in conjunction with the Public Hearing.

Attachment 1, continued

Options:

1. That Bylaw No. 11/2024 be given 1st Reading, and that Administration be authorized to proceed with the Public Notice process.
2. That Bylaw No. 11/2024 be denied for reasons as listed by Council.
3. That Administration be provided with alternative direction.

Administrative Recommendation:

That Bylaw No. 11/2024, a Bylaw of the City of Yorkton in the Province of Saskatchewan to amend Zoning Bylaw No. 14/2003 firstly by clarifying the definition of Storage Compounds/Facilities, secondly by adding special use provisions for Storage Compounds/Facilities adjacent to highways, arterial and collector roadways and thirdly, by adding Storage Compounds/Facilities as Permitted uses in the MI-2 Heavy Industrial zoning district be given 1st Reading this 19th day of August, A.D., 2024, and that Administration be authorized to proceed with the Public Notice process.

Attachment 1, continued

Attachment 1

City of Yorkton
Saskatchewan

Bylaw No. 1/2024

A Bylaw of the City of Yorkton in the Province of Saskatchewan to Amend Zoning Bylaw No. 14/2003, by adding Storage Compounds/Facilities as Discretionary Uses in the C-3 Highway Commercial zoning district and adding Special Use Provisions for their use.

WHEREAS, pursuant to Sections 46(3) and 69 of *The Planning and Development Act, 2007*, the Council of the City of Yorkton in the Province of Saskatchewan in Council assembled hereby enacts as follows:

That Zoning Bylaw No. 14/2003 be amended by:

1. Adding subsection 7.13 "Storage Compounds/Facilities" as follows:

Section 7.13

STORAGE COMPOUNDS/FACILITIES

7.13.1

Where listed as a Discretionary Use, Storage Compounds/Facilities uses shall be subject to Section 3.5 Development Permit Applications: Discretionary Uses. Consideration shall be given to the presence of activities already located in the area and on the site, and their effect on the surrounding environment.

Discretionary Uses shall be more favourably considered where it can be demonstrated that:

- A) the location of the activity being performed outdoors is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas, including, but not limited to:
 - the anticipated levels of noise created by the use;
 - the proposed use is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity;
 - the use will have a minimal impact on the amenity of the surrounding zoning district and adjacent areas and that these areas will not be reasonably compromised;
 - the character of adjacent uses, shall be protected and maintained through the provision of buffer areas, separation distances and screening;
 - the anticipated increased level or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians;

Attachment 1, continued

Attachment 1, continued

B) the use can comply with all applicable Municipal, Provincial and Federal regulations.

2. Adding Storage Compounds/Facilities to:

a. 17.1.2.11 – C-3 Highway Commercial Discretionary Uses

This bylaw shall come into force and take effect on the date of final passing thereof.

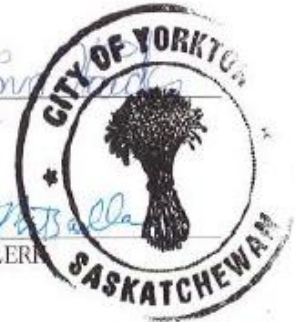
CERTIFIED A TRUE AND CORRECT COPY OF
BYLAW NO. 11/2024 OF THE CITY OF
YORKTON.

DATED AT YORKTON, SASKATCHEWAN THIS
29th DAY OF February, A.D. 2024

[Signature]
CITY CLERK

[Signature]
Acting Deputy MAYOR

[Signature]
CITY CLERK



Introduced and read a first time this 29th day of January, A.D., 2024.

Read a second time this 26th day of February, A.D., 2024.

Read a third time and adopted this 26th day of February, A.D., 2024.

Attachment 1, continued

Attachment 4

**City of Yorkton
Saskatchewan**

Bylaw No. 11/2024

A Bylaw of the City of Yorkton in the Province of Saskatchewan to Amend Zoning Bylaw No. 14/2003, firstly by clarifying the definition of Storage Compounds/Facilities, secondly by adding special use provisions for Storage Compounds/Facilities adjacent to highways, arterial and collector roadways and thirdly, by adding Storage Compounds/Facilities as Permitted uses in the MI-2 Heavy Industrial zoning district.

WHEREAS, pursuant to Sections 46(3) and 69 of *The Planning and Development Act, 2007*, the Council of the City of Yorkton in the Province of Saskatchewan in Council assembled hereby enacts as follows:

That Zoning Bylaw No. 14/2003 be amended by:

1. Amending Section 2.1 General Definitions by deleting the definition of Storage Compounds/Facilities and replacing with:

“Storage Compounds/Facilities: A development used for the exterior or interior storage of items, including, but not limited to, vehicles, personal items, products and/or equipment.”

2. Adding subsection 7.13.2 “Storage Compounds/Facilities” as follows:

Section 7.13

STORAGE COMPOUNDS/FACILITIES

7.13.2

Storage Compounds/Facilities uses adjacent to Provincial/through highways, arterial and/or collector roadways shall be screened to minimize the visual appearance from the adjacent roadway. Screening may be in the form of landscaping, fencing or a combination of the two and shall sufficiently obscure the view of the use from the ground to a height of 1.85m (6’).

3. Adding Storage Compounds/Facilities as permitted uses in the MI-2 Heavy Industrial zoning district as follows:

20.1.1.38 Storage Compounds/Facilities

This bylaw shall come into force and take effect on the date of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this ____ day of _____, A.D., 2024.

Read a second time this ____ day of _____, A.D., 2024.

Read a third time and adopted this ____ day of _____, A.D., 2024.

Attachment 1,

Attachment 5

Public Notice

Proposed Zoning Bylaw Amendment to Amend Text

Details: Yorkton City Council will consider Bylaw No. 11/2024, a text amendment to Bylaw No. 14/2003, to:

Firstly, to amend the Land Use definition of Storage Compounds/Facilities by deleting the current definition to be replaced with the following:

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And thirdly, to add Storage Compounds/Facilities as Permitted Uses in the Heavy Industrial (MI-2) zoning district.

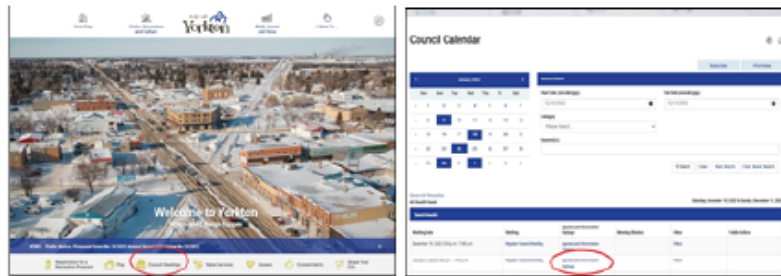
Public Hearing: City Council will hear all persons who are present and wish to speak to the proposed amendment and all written submissions will be read verbatim, unless the submitter is in attendance to speak on the submission, on **Monday, September 9, 2024 at 5:00 p.m. in City Hall Council Chambers, Yorkton, SK.**

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In Person: 37 Third Avenue North, Yorkton, SK
Via Mail: Box 400, Yorkton, SK S3N 2W3
Via Email: jmatsalla@yorkton.ca

For More Information:

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Questions regarding the proposed bylaw may be directed to:

Planning Services
Phone: (306) 786-1710
Email: planningservices@yorkton.ca

continued

REPORT TO COUNCIL

TITLE: Bylaw No. 12/2024 – Rezone 1, 5 & 9 Cook Drive from R-1A Small Lot Residential to R-5 Mixed Density Residential 2 nd & 3 rd Readings	DATE OF MEETING: September 9, 2024
	REPORT DATE: September 4, 2024, 1:40 PM
CLEARANCES:	ATTACHMENTS: 1. August 19, 2024 Council Report
Written by: Michael Eger – Director of Planning, Building & Development <p align="center">Michael Eger</p>	
Reviewed by: Jessica Matsalla - City Clerk <p align="center">Jessica Matsalla</p>	
Approved by: Brad Hvidston – City Manager <p align="center">Brad Hvidston</p>	

Summary of History/Discussion:

Bylaw No. 12/2024 proposes to amend Zoning Bylaw No. 14/2003 by rezoning 1, 5 & 9 Cook Drive from R-1A Small Lot Residential to R-5 Mixed Density Residential. The purpose of the amendment would be to allow for the properties to be re-subdivided into two equal lots, each with potential to be developed with a four-unit dwelling. A local builder has applied to purchase one of the future lots for this purpose. A full review and analysis of the rezoning was presented to Council at the August 19th meeting (Attachment 1).

This report is in consideration of 2nd and 3rd Readings of the bylaw, summarizing input from the Planning & Infrastructure Commission and responding to inquiries received as part of the public notice process.

Planning & Infrastructure Commission

The bylaw was referred to the Planning and Infrastructure Commission at their August 28, 2024 meeting. The Planning and Infrastructure Commission plays an important part in civic government by providing representation from a broad spectrum of the community to assist City Council in their decision making. City Administration provides recommendations for the Commission to consider which are based on sound land use planning practices, including relevant policies and procedures. The Commission, however, is not bound by the Administrative recommendation and is free to carry any motion they see fit, including recommendations either to approve, to approve with conditions, or to deny applications.

The Commission discussed housing needs and other options that might be available for multi-unit housing. It was noted that the York Landing subdivision was designed in response to a housing shortage and escalating infrastructure costs over a decade ago, and that similar conditions are reoccurring. The Commission was generally supportive of increasing the type and availability of housing options in the City, remarking that the proposed rezoning and subsequent dwellings would likely compliment the existing neighbourhood. It was also commented that new housing construction on Cook Drive would help spur additional construction throughout the subdivision. A construction boom is more likely to increase neighbouring property values, rather than decrease them. As such, the Commission unanimously carried a recommendation that the zoning amendment be approved by Council.

Public Notice:

The proposed bylaw was advertised and circulated in accordance with the City's public notification requirements, including advertisement in the local paper, at City Hall, on the City website and a direct mail out to property owners within 75 metres. Written submissions and persons wishing to speak to the amendment will have the opportunity to present to Council during the Public Hearing.

As of the date of this report, Planning Services discussed the rezoning with one neighbouring owner. That individual expressed opposition, citing concerns of reduced property value, increased traffic, incompatibility with neighbouring single unit dwellings, possibility of low-income housing, and the potential for future crime and property neglect.

In response, the following is noted:

- There is a lack of statistical evidence that multi-unit rental dwellings decrease neighbouring property values. Further, many of the properties in York Landing are designated for multi-unit dwellings, including properties on the south leg of Heath Court, which are in equal proximity to the single-unit dwellings on York Road East.
- The rezoning would accommodate a maximum of five more dwelling units on this stretch of Cook Drive (three single-unit dwellings compared to a maximum of two, four unit dwellings). Traffic increases for this number of units would be nominal, especially as compared to existing traffic on York Road.
- The design of the planned four-unit dwelling would be similar to the existing dwellings along Cook Drive, in that they do not propose front garages and are designed to be compact, efficient living spaces.
- The proposed four-unit dwelling on the north half of these lots is proposed as a private, market rental property. Regardless, the City cannot control who resides within a dwelling, and whether it is used for market or non-market rental. There is a need for all types of housing in the community, especially entry-level and rental housing.
- There is again a lack of statistical evidence to support claims of rising crime caused by multi-unit dwellings.

OPTIONS:

1. That Bylaw No. 12/2024 given 2nd & 3rd Readings.
2. That Bylaw No. 12/2024 be denied for reasons as listed by Council; or
3. That Administration be provided with alternative direction.

RECOMMENDATION:

1. That Bylaw No. 12/2024, a bylaw of the City of Yorkton in the Province of Saskatchewan to rezone Lots 1, 2 & 3, Blk/Par 2, Plan 102113581 civically known as 1, 5 & 9 Cook Drive, from R-1A Small Lot Residential to R-5 Mixed Density Residential to allow for mixed density dwellings, be given 2nd Reading this 9th day of September A.D., 2024; and
2. That Bylaw No. 12/2024, a bylaw of the City of Yorkton in the Province of Saskatchewan to rezone Lots 1, 2 & 3, Blk/Par 2, Plan 102113581 civically known as 1, 5 & 9 Cook Drive, from R-1A Small Lot Residential to R-5 Mixed Density Residential to allow for mixed density dwellings, be given 3rd Reading, this 9th day of September, A.D., 2024.

Attachment 1



REPORT TO COUNCIL

TITLE: Bylaw No. 12/2024 – Rezone 1, 5 & 9 Cook Drive from R-1A Small Lot Residential to R-5 Mixed Density Residential Council Report #1 – 1 st Reading & Public Notice	DATE OF MEETING: August 19, 2024
	REPORT DATE: August 14, 2024, 2:31 PM
CLEARANCES:	ATTACHMENTS: 1. Zoning Map 2. Draft Bylaw No. 12/2024 3. Public Notice
Written by: Michael Eger – Director of Planning, Building & Development Michael Eger	
Reviewed by: Jessica Matsalla – City Clerk Jessica Matsalla	
Approved by: Brad Hvidston – City Manager Brad Hvidston	

Summary of History/Discussion:

A local builder recently approached the City about constructing a four-unit dwelling in the York Landing subdivision. In order to minimize construction costs and subsequent rental rates for each unit, the builder does not wish to construct front attached garages. In turn, they would require a property with rear-lane access to meet minimum parking requirements.

The City does have an inventory of R-2 Low Density Residential lots on Heath Court which could accommodate a four-unit dwelling as a Council approved, Discretionary Use. However, those lots are designed for semi-detached dwellings with front garages, and do not benefit from access to a rear lane. As such, Planning Services suggested the builder consider property on the first block of Cook Drive, which has rear lane access.

More specifically, the properties in question would be 1, 5 and 9 Cook Drive. They are currently zoned R-1A Small Lot Residential (see Attachment 1) and four-unit dwellings are prohibited in this district. Rezoning is therefore required in order to contemplate the conditional purchase offer for 9 Cook Drive and the north half of 5 Cook Drive. R-5 Mixed Density Residential zoning is proposed by Administration. If rezoning is passed, future subdivision would leave an equally-sized parcel that could be developed as a range of housing options with one to four units.

Administrative Review

The R-1A zone was created in 2012 in response to housing shortages and to meet criteria of a Provincial housing grant program (HeadStart on Home). Unfortunately, the implementation of the zoning coincided with a long period of economic stagnation, and only four separate homes have been constructed in the York Landing subdivision.

Bylaw No. 12/2024 – 1,5 & 9 Cook Drive – R-1A to R-5 - 1st Reading & Public Notice
Page 1 of 8

Attachment 1, continued

Demand for housing is steadily increasing, but the willingness for people to build new houses in the City is seemingly neutralized by construction cost inflation, (relatively) high interest rates and a general lack of confidence that a new home in Yorkton is a good investment.

At the same time, (primary market) rental housing availability has fallen to 2.4% (CMHC Rental Market Survey, October 2023), which is below the point that CMHC prescribes for a healthy rental market. This is supported by anecdotal summaries of the secondary housing market (of which CMHC cannot measure). The reduced availability creates barriers for employers, for people considering moving to Yorkton, and also for existing renters who could face the rent increases that typically correspond with lack of supply.

In order to evaluate the merits of residential rezoning applications, Planning Services considers each under the following criteria:

1. Is the proposed use compatible with neighboring uses?
2. Is there a need in the community for the proposed use?
3. Is there a need for additional properties within the zoning sector?
4. Would the rezoning be perceived as a precedent for which other owners of similarly-zoned properties would expect similar treatment?
5. Is the rezoning supported by the Official Community Plan?

1. Is the proposed use compatible with neighbouring uses?

The York Landing subdivision was designed to incorporate a mixed-density design. The purpose of this is to:

- reduce lot prices by increasing the number of properties shouldering the cost to develop the lands;
- increase the number or rate payers who bear the maintenance and replacement costs for infrastructure;
- create a range of lot sizes which encourage housing types and sizes throughout the housing continuum; and
- mitigate neighbourhood segregation.

In this way, rezoning to R-5 would match the intended uses of the neighbourhood. Further, the proposed design, without front attached garages, would match the existing and future dwellings along Cook Drive.

2. Is there a need in the community for the proposed use?

The City is experiencing a rental housing shortage, as mentioned above. There is clear and measurable need for more rental housing.

3. Is there a need for additional properties within the zoning sector?

Most R-5 properties are located within the older neighbourhoods typically thought of as inner-City. The City has historically held a very limited inventory of R-5 properties, most commonly through tax title proceedings. However, the City holds no R-5 inventory at this time.

Attachment 1, continued

The only properties within York Landing which could accommodate a four-unit dwelling are either too large and expensive for the builder to consider, or do not have sufficient access for rear yard parking. There are likely other, privately held properties in the City where it would be possible to construct a four-unit dwelling. However, the builder believes the lots on Cook Drive provide what is needed for their intended design, at an appropriate price.

4. Would the rezoning be perceived as a precedent for which other owners of similarly-zoned properties would expect similar treatment?

This block of Cook Drive is physically separated by streets or lanes from all the other properties with R-1A zoning. Therefore, further proliferation of the R-5 zone on Cook Drive would warrant a slightly different perspective. In other words, rezoning of the subject properties is not precedent setting.

5. Is the rezoning supported by the Official Community Plan?

The Official Community Plan (OCP), in consideration of the City's Housing Needs Assessment, is broadly supportive of increasing the density and availability of housing. This rezoning could enable up to eight units on this stretch of Cook Drive, whereas the current zoning would only accommodate three (plus secondary suites, if desired) to four (if developed with two semi-detached dwellings). While the proposed rezoning does increase density, it only creates an additional maximum of only two dwelling units, when factoring for secondary suites.

Public Notice:

At this time, Administration would like to initiate the public notice process, including advertisement in the local newspaper, at City Hall and on the City website, as well as circulation to property owners within 75 metres of the subject property (Attachment 3).

If authorization for Public Notice is granted, the proposed amendment will be referred to the Planning and Infrastructure Commission. The Commission's recommendations will be brought back to Council, for their review and decision, in conjunction with the Public Hearing.

OPTIONS:

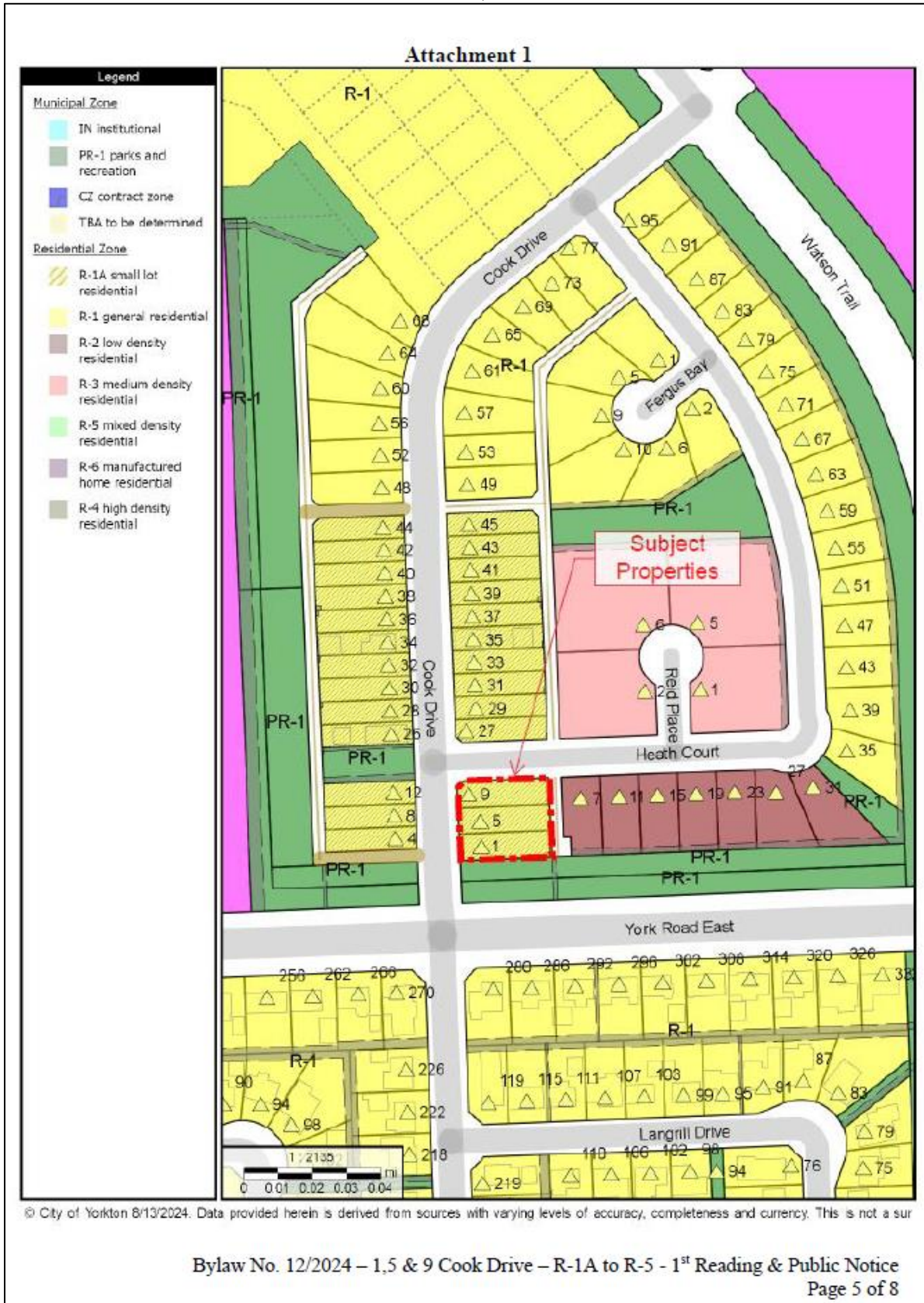
1. That Bylaw No. 12/2024 given 1st Reading and that Administration be authorized to proceed with the Public Notice process.
2. That Bylaw No. 12/2024 be denied for reasons as listed by Council; or
3. That Administration be provided with alternative direction.

Attachment 1, continued

RECOMMENDATION:

1. That Bylaw No. 12/2024, a bylaw of the City of Yorkton in the Province of Saskatchewan to rezone Lots 1, 2 & 3, Blk/Par 2, Plan 102113581 civically known as 1, 5 & 9 Cook Drive, from R-1A Small Lot Residential to R-5 Mixed Density Residential to allow for mixed density dwellings, be introduced and given 1st Reading this 19th day of August, A.D., 2024, and that Administration be authorized to proceed with the Public Notice process.

Attachment 1, continued



Attachment 1, continued

Attachment 2

**City of Yorkton
Saskatchewan**

Bylaw No. 12/2024

A bylaw of the City of Yorkton in the Province of Saskatchewan to rezone Lots 1, 2 & 3, Blk/Par 2, Plan 102113581 civically known as 1, 5 & 9 Cook Drive, from R-1A Small Lot Residential to R-5 Mixed Density Residential to allow for mixed density dwellings.

WHEREAS, pursuant to Section 46(3) of *The Planning and Development Act, 2007*, the Council of the City of Yorkton in the Province of Saskatchewan in Council assembled hereby enacts as follows:

1. That Bylaw No. 14/2003 is amended by rezoning Lots 1, 2 & 3, Blk/Par 2, Plan 102113581 as shown on Schedule 'A' attached hereto, from R-1A Small Lot Residential to R-5 Mixed Density Residential;
2. That the Zoning Districts Map attached to and forming part of Bylaw No. 14/2003, is amended to change the zoning of Lots 1, 2 & 3, Blk/Par 2, Plan 102113581 as shown on Schedule 'A' attached hereto, from R-1A Small Lot Residential to R-5 Mixed Density Residential.

This bylaw shall come into force and take effect on the date of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this 19th day of August, A.D., 2024.

Read a second time this day of , A.D., 2024.

Read a third time and adopted this ____ day of _____, A.D., 2024.

Bylaw No. 12/2024 – Amend Zoning Bylaw No. 14/2003 – 1, 5 & 9 Cook Dr from R1-A to R-5
Page 1 of 2

**Bylaw No. 12/2024 – 1,5 & 9 Cook Drive – R-1A to R-5 - 1st Reading & Public Notice
Page 6 of 8**

Attachment 1, continued

Attachment 2, continued

Schedule 'A'



Bylaw No. 12/2024 – Amend Zoning Bylaw No. 14/2003 – 1, 5 & 9 Cook Dr from R1-A to R-5
Page 2 of 2

Bylaw No. 12/2024 – 1,5 & 9 Cook Drive – R-1A to R-5 - 1st Reading & Public Notice
Page 7 of 8

Attachment 1, continued

Attachment 3

Public Notice

Amendment to Zoning Bylaw No. 14/2003
Bylaw No. 12/2024 – Proposed Rezoning of 1, 5 & 9 Cook Drive



Legal Description: Lots 1, 2 & 3, Blk/Par 2, Plan 102113581
Civic Address 1, 5 & 9 Cook Drive
Current Zoning R1-A Small Lot Residential
Proposed Zoning R-5 Mixed Density Residential

Details: Yorkton City Council will consider Bylaw No. 12/2024, an amendment to Bylaw No. 14/2003, to rezone 1, 5 & 9 Cook Drive from R1-A Small Lot Residential to R-5 Mixed Density Residential to allow for multi-unit and mixed density dwellings.

Pursuant to *The Planning and Development Act, 2007*, the amendment is to be publicly advertised before Council makes their final decision.

Public Hearing: City Council will hear all persons who are present and wish to speak to the proposed amendment and all written submissions will be read verbatim, unless the submitter is in attendance to speak on the submission, on **Monday, September 9, 2024 at 5:00 p.m.** in **City Hall Council Chambers, Yorkton, SK.**

Written Submissions: If you wish to provide written comments for Council's consideration, they must be submitted by 9:00 a.m. on Wednesday September 4, 2024. Written submissions must be directed to:

Jessica Matsalla, Director of Legislation and Procedures
In Person: 37 Third Avenue North, Yorkton, SK
Via Mail: Box 400, Yorkton, SK S3N 2W3
Via Email: jmatsalla@yorkton.ca

For More Information:

To see the full report on this application, and the proposed bylaw, please visit www.Yorkton.ca. Click or tap on the "Council Meetings" link and select "Agenda and Information Package" for the August 19, 2024 Regular Council Meeting. The report will be found in the Information Package that follows the Agenda.

Questions regarding the proposed bylaw may be directed to:

Michael Eger, Director of Planning, Building & Development
Phone: (306) 786-1710
Email: planningservices@yorkton.ca

Bylaw No. 12/2024 – 1,5 & 9 Cook Drive – R-1A to R-5 - 1st Reading & Public Notice
Page 8 of 8

<p>TITLE: Proposed Bylaw No. 9/2024 to Amend the Fire Prevention Bylaw No. 15/2010</p>	<p>DATE OF MEETING: September 9, 2024</p>
<p>CLEARANCES:</p>	<p>REPORT DATE: August 21, 2024</p> <p>ATTACHMENTS:</p> <ol style="list-style-type: none"> 1. Draft Bylaw No. 9/2024 to Amend the Fire Prevention Bylaw No. 15/2010 2. Draft Fire Prevention Bylaw with changes included 3. Communication Plan
<p>Written by: Trevor Morrissey, Fire Chief and Nicole Baptist, Bylaw & Safety Supervisor</p> <p style="text-align: center;">Trevor Morrissey Nicole Baptist</p>	
<p>Reviewed by: Jessica Matsalla, City Clerk</p> <p style="text-align: center;">Jessica Matsalla</p>	
<p>Approved by: Brad Hvidston, City Manager</p> <p style="text-align: center;">Brad Hvidston</p>	

PURPOSE/BACKGROUND

At the July 29, 2024 Council Meeting, Council directed Administration to bring back the Fire Prevention Bylaw Amendment as presented to the September 9, 2024 Council Meeting. This Bylaw amendment follows a complete review of the Fire Prevention Bylaw that looked to ensure that requirements in the Bylaw are still appropriate and fitting the needs of the community. As Council is aware, houselessness is becoming more visible in our community and putting the appropriate parameters in place to ensure safety will allow us to keep our vulnerable populations safe. These concerns tie into our Emergency Measures Operations (EMO) as it may displace a vulnerable population when temperatures become critical in the winter months. It’s important to remember that the houseless population in Yorkton that we’re discussing are members of our community too.

Furthermore, an economic boom in the area bringing large numbers of short-term workers into the community has created a corresponding boom on our rental housing market. Administration would like to take steps to ensure that available rentals are meeting minimum safety requirements.

DISCUSSION/ANALYSIS/IMPACT

The following are the suggested or potential Amendments for the Fire Prevention Bylaw. All changes are highlighted in Attachment 2.

1. Administration has included additional definitions relating to the new sections in the Bylaw.

2. Under Section 9 relating to open-air fires (fire pits) Administration has clarified reasons why an open air permit may be revoked or why Fire Protective Services would limit usage. This simply clarifies a practice that's already in place.
3. Administration is proposing Section 15, introducing rental housing licensing and inspections to ensure rental housing is maintained and safe for renters. The Fire Department will inspect properties for life safety and fire safety concerns and will require property owners to correct the deficiencies. Approximately 25% of residential housing in Yorkton is rental housing. As the rental market is currently booming, more and more we're seeing residential houses being used as full rentals or split in to multi-unit dwellings. This is also becoming popular for property owners to rent out portions of their house to help make mortgages more palatable. These new trends that we're seeing brings a potential for unsafe housing added to the rental market and with a low rental vacancy rate in the community, it leaves little options for people to find safer housing. The intent of introducing this section is to promote safe rentals and voluntary compliance, but also to have parameters in place if rental units are not maintained to the minimum standards.
4. Section 16 and Section 17 are new sections and relate to the life safety systems out of service permits and supplemental heat permits. Both proposed permits are free of charge but require property owners or operators to work with the Fire Department to make sure that the appropriate systems or procedures are put in place to mitigate risks while life safety systems are out of service. And in the case of supplemental heat, to ensure that the temporary supplemental heat is being used safely, appropriately and for a limited time.
5. Section 20 in the draft bylaw is also a new section to address unsafe outdoor living. This section only applies to City owned property; if a tent or temporary shelter is on private property, it will continue to be dealt with through the RCMP as a trespassing concern. The intent of this section is to ensure safe outdoor living for individuals who do not have another location to stay and ensure that they are staying in locations that will not put themselves or others at increased danger.
6. Section 22 in the Bylaw is the section dealing with Fines and Penalties. With the revision process, Administration has completed some small Administrative clean up to address some duplications. Administration also added in offences relating to the Rental Housing Licence and Inspection section. Administration's intent is to continue to work with landlords as much as possible to ensure safe living options, but should that fail, the fines are listed to address issues that arise. Fines are also included to address non-compliance for obtaining life safety systems out of service permits and supplemental heat permits.
7. Changes under subsection 22(4) and 25(2) give limited authority to the Community Safety Officers to enforce certain provisions under this Bylaw. The primary enforcement of fire pits will remain with Fire Protective Services, but amending the Community Safety Officer's authority under the Bylaw, does provide the option when needed.
8. Schedule "A" regarding Fees has also been reviewed and updated. This Bylaw was originally brought into force in 2010 and the fees have not been reviewed since. Administration also considered fees in other municipalities throughout Saskatchewan and the fees varied widely especially depending on the age of the Bylaw. Administration has included things such as fire suppression and consumable rates or fees. These are costs that are typically covered through insurance. Administration has included a Rental Housing Licence of \$100 per bedroom. The licences would be purchased every four years. For example, if a single family dwelling is converted into two-unit rental and the first floor rental has three bedrooms and the downstairs rental has one, the total cost for that rental housing licence is \$400. These fees will help cover the Administrative cost of tracking rental housing licences and will cover the property inspection costs.

FINANCIAL IMPLICATIONS

Many of the amendments listed in this revision are included to recover City costs for various services provided by the Fire Department and should have a positive impact to the department's budget. Having said that, the most notable financial implication of this Bylaw amendment will continue to be Administration's time. For the rental housing licensing, the licence fees will cover the majority of Administration's time. However, recovering costs for addressing houselessness concerns is not an option.

COMMUNICATION PLAN/PUBLIC NOTICE

Administration has developed a communication plan. The full communication plan is attached as Attachment 3.

In terms of Public Notice of the bylaw amendment, as per the *Public Notice Bylaw No. 8/2003*, Public Notice is not required as the *Fire Prevention Bylaw No. 15/2010* did not provide Public Notice when it was initially adopted. Regardless, if Council desires, Public Notice and subsequent public hearing can be provided.

STRATEGIC PRIORITIES/OCP/COMMITTEE RECOMMENDATION(S)

At the June 27, 2024 Protective Services Committee meeting, Administration discussed the premise of the Bylaw amendments that would be coming and the Committee was supportive and did not have any concerns with the suggested changes – especially in regards to the unsafe outdoor living section.

Reviewing the OCP, you can see that the proposed Bylaw Amendments support many of the founding principles. For example, Subsection 4.3.3 in the OCP talks about Affordable Housing. It's identified that affordable housing is a great concern as Yorkton continues to grow. This section speaks to developing secondary dwelling units and encouraging a more compact neighbourhood design. The proposed rental housing licensing will complement the desired direction noted in the OCP, by ensuring the units are safe for occupants. Section 4.5.1 in the OCP speaks specifically to Public Health and Safety and three of the policies noted relate to this amendment:

4.5.1(5) Increase community disaster preparedness through public awareness and education.

4.5.1(6) The city will monitor community needs in relation to social issues and facilitate provision of a continuum of services from prevention to long-term intervention and treatment to meet local needs.

4.5.1(9) The city will ensure police, fire and ambulance services are appropriate and meet the needs of the community.

Section 7.1.1 relating to Growth Management, talks about considering “the capacity of all types of infrastructure and the social well being when reviewing growth options.” Although this does not specifically speak to the proposed Bylaw Amendments, it is an important point to keep in mind as we move forward through the mental health, addictions and houselessness crisis.

OPTIONS

1. That with unanimous consent, the proposed Fire Prevention Bylaw Amendment be given first, second and third readings, and further authorize Administration to activate the communication plan and press release as presented.
2. That the proposed Fire Prevention Bylaw Amendment be introduced and given first reading, and sent to Public Notice, and further authorize Administration to activate the communication plan and press release as presented.
3. That the proposed Fire Prevention Bylaw Amendment be denied for reasons as listed by Council.
4. That Administration be provided with alternative direction.

ADMINISTRATIVE RECOMMENDATION(S)

1. That Bylaw No. 9/2024 being A Bylaw of the City of Yorkton in the Province of Saskatchewan to amend the Fire Prevention Bylaw No. 15/2010 to provide for the prevention and extinguishment of fires and for the preservation of life and property from destruction of fire be introduced and given First Reading, this 9th day of September, 2024, A.D.; and
2. That Bylaw No. 9/2024 be given 2nd Reading, this 9th day of September, 2024, AD.; and
3. That with unanimous consent of Council, Bylaw No. 9/2024, be presented to proceed to 3rd Reading at the September 9th, 2024 meeting; and
4. That Bylaw No. 9/2024 being A Bylaw of the City of Yorkton in the Province of Saskatchewan to amend the Fire Prevention Bylaw No. 15/2010 to provide for the prevention and extinguishment of fires and for the preservation of life and property from destruction of fire be entered in the City of Yorkton Bylaw Register.
5. That Council authorize Administration to activate the communication plan regarding safe outdoor living and associated press release as presented.

**City of Yorkton
Saskatchewan**

Bylaw No. 9/2024

A Bylaw of the City of Yorkton in the Province of Saskatchewan to amend the Fire Prevention Bylaw No. 15/2010 to provide for the prevention and extinguishment of fires and for the preservation of life and property from destruction by fire within the City of Yorkton.

WHEREAS, pursuant to Section 8 of *The Cities Act* authorizes a Council enact Bylaws for the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, a bylaw known as “The Fire Prevention Bylaw” that has been approved by council, requires certain amendments to be made;

NOW THEREFORE, the Council of the City of Yorkton in the Province of Saskatchewan in Council assembled hereby enacts as follows:

1. That Bylaw No. 15/2010, the following Definitions be amended as follows:
 - (a) To be added in alphabetical order as (b)-1, ““Converted Dwelling” means a single family dwelling that is converted to accommodate multiple families or renters and also refers to a single family dwelling that is being rented as a whole home and no longer occupied by the owner”.
 - (b) To be added in alphabetical order as (c)-1, ““Encampment” means any group of two or more temporary structures or tents in a 100m area”.
 - (c) The Definition of “National Fire Code” be amended by replacing “2005” with “2015”.
 - (d) To be added in alphabetical order as (h), ““Life Safety Systems” means the systems installed in buildings to protect people and buildings from fires. This includes, but not limited to, sprinkler systems, fire alarms, etc.”.
 - (e) To be added in alphabetical order as (i), ““Rental Housing Unit” means a building or part of a building with residential dwelling units used or intended to be used as rented residential premises but shall not include:
 - (i) Apartment buildings, meaning a building or existing non-residential building that is divided with fire separation horizontally and/or vertically into residential dwelling units but does not include a converted dwelling;
 - (ii) A dwelling where the principal owner resides with immediate family members occupying the other unit or units;
 - (iii) A motel, hotel, or inn;
 - (iv) Any personal care home, assisted living facility or other similar care facilities.”.
 - (f) To be added in alphabetical order as (j), ““Supplemental Heat” means a temporary heat source provided, other than the buildings primary heating system or source.”.
 - (g) To be added in alphabetical order as (k), ““Temporary Shelter” means a shelter or temporary structure made of any material that is designed to provide cover for a short time and is capable of being dismantled and moved; and further, is not permanent or permitted through the City of Yorkton Building Services Division.”.

- (h) To be added in alphabetical order as (l), ““Tent” means a portable shelter made of fabric, supported by one or more poles and stretched by ropes or cords fixed to the ground.”.
- 2. That Bylaw No. 15/2010, Clause 3, be amended by replacing “2005” with “2015”.
- 3. That Bylaw No. 15/2010, Clause 9.3, be removed and replaced with “The Fire Chief or discretionary designate assigned by them, may at any time revoke or limit the ability to burn open air fires within the City of Yorkton for reasons of public safety, weather conditions or past non-compliance with this Bylaw.”
- 4. That Bylaw No. 15/2010, the paragraph below 9.3, reading “An outdoor burning permit is required for each calendar year, and shall be obtained from the Yorkton Fire Protective Services.”, be numbered as Clause 9.4.
- 5. That Bylaw No. 15/2010, be amended by inserting the following sections as 15, 16, and 17 following section 14 and renumbering the subsequent sections in sequential order:

“15. RENTAL HOUSING LICENCES AND INSPECTIONS

- (a) No person shall own or operate rental housing units without obtaining a Rental Housing Licence from Fire Protective Services.
- (b) No person shall provide false or misleading information to the City or Fire Official at any time, including when applying for a Rental Housing Licence or renewing the Rental Housing Licence.
- (c) A Rental Housing Licence is valid for a duration of four years, with it’s expiration on December 31st of the fourth year.
- (d) An inspection must be arranged with Fire Protective Services to inspect the premises. A minimum of two weeks notice must be provided to arrange an inspection.
- (e) No person shall fail to comply with an Order to remedy deficiencies identified through a rental housing inspection.
- (f) Licence fees are non-refundable and licences are not transferrable.
- (g) A Fire Official may refuse to issue a licence or revoke a licence if it is determined that deficiencies need to be remedied.

16. LIFE SAFETY SYSTEMS OUT OF SERVICE

- (a) No person who owns or operates a property shall fail to notify Fire Protective Services when life safety systems are out of service, where life safety systems are installed. This does not include periods where testing or maintenance are done by a qualified technician.
- (b) Every property owner or operator shall obtain a permit from Fire Protective Services for the period that life safety systems are out of service.

17. SUPPLEMENTAL HEAT

- (a) No person who owns or operates a rental property shall fail to notify Fire Protective Services when supplemental heat is being used in a building.
- (b) Every property owner or operator shall obtain a permit from Fire Protective Services for the period that the supplemental heat is being used.

6. That Bylaw No. 15/2010, Clause 18(h) be amended by replacing “(15)(d)” with “(18)(d)” and replacing “(15)(g)(ii)” with “(18)(g)(ii)”.
7. That Bylaw No. 15/2010, Clause 18(j) be amended by replacing “(15)(d)” with “(18)(d)” and replacing “(15)(g)(ii)” with “(18)(g)(ii)”.
8. That Bylaw No. 15/2010, be amended by inserting the following section as 20 following the newly numbered Section 19 and renumbering the subsequent sections in sequential order:

“20. UNSAFE OUTDOOR LIVING

- (1) No person may erect an encampment, temporary shelter or tent on City owned or public property:
 - (a) On or within 100 metres of a school or daycare centre;
 - (b) On or within 100 metres of a playground, pool or spray park;
 - (c) On or within 100 metres of an occupied residential or commercial property;
 - (d) On or within five metres of any street, sidewalk, boulevard, or pathway;
 - (e) On or within 50 metres of any sports field as designated by the Recreation and Community Services Department;
 - (f) Within any fenced-in off-leash dog park;
 - (g) On any cemetery, including its roads or lanes within the cemetery;
 - (h) On or within any entrance, exit or doorway to a building or structure, and including, without limiting the generality of the foregoing, an area adjacent to such entrances or exits required in the event of a fire or emergency;
 - (i) Against, under, or be attached or tied to any building or permanent structure.
- (2)
 - (a) No more than five tents or temporary shelters are permitted to be in a 100 square meter area.
 - (b) No tent or temporary shelter may be within four meters of an entrance or exit of another tent or temporary shelter.
- (3) Notwithstanding Subections 20(1) and 20(2), at the discretion of a Fire Official or a Community Safety Officer, the following fire safety or life safety conditions may cause an encampment, temporary shelter or tent to be deemed unsafe outdoor living:
 - (a) Combustible nature of materials used;
 - (b) Open fires;
 - (c) Proximity of structures/shelters to each other and to other combustible structures;
 - (d) Improvised heating sources being used including candles, fires, and propane heat in close proximity/within the entrance of the shelter;
 - (e) Heaters not used for intended design;
 - (f) Accumulation of materials and debris that could impede the egress of residents from their shelter/structure and promote the spread of fire to another shelter in the event of an emergency.
- (4) If an encampment, temporary shelter, or tent is deemed unsafe outdoor living, a Fire Official may order the encampment, temporary shelter or tent be removed or the unsafe conditions be remedied.

- (5) Notwithstanding 20(3) and 20(4), where there is no shelter accommodations available in the City, a houseless person may, without permission from the City, take up temporary shelter, tent or encampment on City owned property provided the person removes the temporary shelter, tent or encampment during the daytime and abides by the other provisions of this Bylaw.”
- 9. That Bylaw No. 15/2010, be amended by removing the newly numbered Clause 22(2)(o).
- 10. That Bylaw No. 15/2010, be amended by removing the newly numbered Clause 22(2)(t).
- 11. That Bylaw No. 15/2010, by inserting the following subclauses in sequential order under 22(2),
 - “(u) operates a rental housing unit without obtaining a Rental Housing Licence from Fire Protective Services;
 - (v) provides false or misleading information to the City or Fire Official at any time, including when applying for a Rental Housing Licence or renewing the Rental Housing Licence;
 - (w) fails to comply with an Order to remedy deficiencies identified through a rental housing inspection;
 - (x) fails to notify Fire Protective Services of life safety systems out of service;
 - (y) fails to notify Fire Protective Services of supplemental heat used.”
- 12. That Bylaw No. 15/2010, Subclause 22(4)(a) be amended by removing “to pay the City Treasurer of Yorkton” and replacing “18.3” with “22(3)”.
- 13. That Bylaw No. 15/2010, Clause 22(4) be amended by inserting the following as 22(4)(b) and renumbering the remaining subclauses in sequential order: “(b) a Community Safety Officer or Bylaw Enforcement Officer may issue a Notice of Violation to every person committing an offence under subsection 20(2)(h) of the bylaw. The notice shall require the person to pay the amount listed in Section 22(3).”
- 14. That Bylaw No. 15/2010, newly numbered Clause 25 be amended by inserting subclause 25(2) as “A Community Safety Officer shall only enforce Section 9, Section 20 and Section 22 of this Bylaw.”
- 15. That Bylaw No. 15/2010, Schedule “A” be removed in it’s entirety and be replaced with Schedule “A” of this Bylaw.

This bylaw shall come into force and take effect on the date of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this ____ day of _____, A.D., 2024.

Read a second time this ____ day of _____, A.D., 2024.

Read a third time and adopted this ____ day of _____, A.D., 2024.

Schedule "A"

SCHEDULE "A"

Fees

1. Inspection Services
 - (1) Third party requests for business premises required for a Provincial or Federal grant or license \$125.00/hour
 - (2) Requested site inspection (other than rental housing licence inspection) \$125.00/hour
 - (3) Underground tank Removal or Installation Inspection \$125.00/hour

2. Hydrant Flow Test \$325.00/Hydrant

3. Emergency Response Charges
 - (1) Dangerous Goods Response
 - (a) Rail Carrier \$1,200.00/hour
 - (b) Highway Carriers
 - (i) Out of City Response \$1,200.00 per unit plus staffing costs plus disposables
 - (ii) In City Non Resident Carrier \$1,200.00 per unit plus staffing costs plus disposables
 - (2) Fire Suppression
 - (a) Apparatus \$1,000.00/hour per unit
 - (b) Consumables
 - (i) Fire Hose \$250.00/50' length
 - (ii) Foam \$350.00/20 litres used
 - (iii) Tools at replacement cost
 - (3) Investigation
 - (a) Scene Security \$75.00/hour per member
 - (b) Materials at cost

4. Rescue Response
 - (1) Highway Rescue/Jaws of Life SGI Rate
 - (2) Out of City Rescue/Standby SGI Rate

4. Motor Vehicle Accident
 - (3) Non-Resident Per SGI Fixed Rate
 - (4) Resident Per SGI Fixed Rate

Schedule “A” continued

5. Permit Fees (Non-Refundable)

(1)	Open Air Burn Permit	\$20.00 annually
(2)	Rental Housing Licence	\$100.00/bedroom
(3)	Life Safety Systems Out of Service	No charge
(4)	Supplemental Heat	No charge

**CITY OF YORKTON
SASKATCHEWAN**

BYLAW NO. 15/2010

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN
PROVIDING FOR THE PREVENTION AND EXTINGUISHMENT OF FIRES AND FOR
THE PRESERVATION OF LIFE AND PROPERTY FROM DESTRUCTION BY FIRE**

WHEREAS, Part II 8(1) of *The Cities Act*, makes provision for the passing of a bylaw to provide for the prevention and extinguishment of fires;

NOW THEREFORE, the Council of the City of Yorkton in Council assembled enacts as follows:

1. This bylaw shall be known and may be cited as the City of Yorkton Fire Prevention Bylaw.

2. DEFINITIONS

For the purposes of this Bylaw, the expressions:

(a) "Authority Having Jurisdiction" means the Fire Chief of the Fire Department of the City of Yorkton and any person authorized by the Fire Chief under *The Fire Prevention Act* or any succession to that act as a Fire Inspector;

(b) "City" means the City of Yorkton;

(b)-1 "Converted Dwelling" means a single family dwelling that is converted to accommodate multiple families or renters and also refers to a single family dwelling that is being rented as a whole home and no longer occupied by the owner;

(c) "Council" means the Council of the City of Yorkton;

(c)-1 "Encampment" means any group of two or more temporary structures or tents in a 100m area;

(d) "Enforcing Authority" means the Fire Chief of the Fire Department of the City of Yorkton and any person authorized by the Fire Chief under *The Fire Prevention Act* to act as a Fire Inspector;

(e) "Fire Inspector" means a person who is employed by the City and authorized by the Fire Chief under *The Fire Prevention Act* or any succession to that act to act as a Fire Inspector;

(f) "National Fire Code" means the *National Fire Code of Canada*, ~~2015~~2005 also referred to as NRCC. No. 47667 adopted pursuant to Section 3;

- (g) "Fire Official" means the Fire Chief of the City of Yorkton Fire Department appointed by the Council of the City of Yorkton or such other person designated by the Fire Chief to carry out the provisions of this bylaw;
- (h) "Life Safety Systems" means the systems installed in buildings to protect people and buildings from fires. This includes, but not limited to, sprinkler systems, fire alarms, etc.
- (i) "Rental Housing Unit" means a building or part of a building with residential dwelling units used or intended to be used as rented residential premises, ~~with two or more units~~, but shall not include:
 - (i) Apartment buildings, meaning a building or existing non-residential building that is divided with fire separation horizontally and/or vertically into residential dwelling units but does not include a converted dwelling;
 - (ii) A dwelling where the principal owner resides with immediate family members occupying the other unit or units;
 - (iii) A motel, hotel or inn;
 - (iv) Any personal care home, assisted living facility or other similar care facilities;
- (j) "Supplemental Heat" means a temporary heat source provided, other than the buildings primary heating system or source.
- (k) "Temporary Shelter" means a shelter or temporary structure made of any material that is designed to provide cover for a short time and is capable of being dismantled and moved; and further, is not permanent or permitted through the City of Yorkton Building Services Division;
- (l) "Tent" means a portable shelter made of fabric, supported by one or more poles and stretched by ropes or cords fixed to the ground.

3. ADOPTION OF THE NATIONAL FIRE CODE OF CANADA

It is hereby declared that the *National Fire Code of Canada 20152005*; issued by the Canadian Commission on Building and Fire Codes National Research Council of Canada, Ottawa, (N.R.C.C. No. 30621), as amended from time to time or any subsequent National Fire Code of Canada which may be enacted is hereby adopted.

4. NOTIFYING THE FIRE DEPARTMENT

Whenever an unwanted fire occurs in any building or on any premises of any kind, the owner, occupant or any person in control of such building or premises, upon discovery of an unwanted fire, even though it has been apparently extinguished, shall immediately cause the existence of such fire, circumstances of same, and location thereof be given to the Fire Department. This requirement shall not be construed to forbid the owner, manager or other person in control of the building or premises from using all diligence necessary to extinguish such fire prior to the arrival of the Fire Department.

5. REPORTING HAZARDOUS CONDITIONS

Any person, upon discovering evidence of spontaneous heating or other abnormal heating of any merchandise, commodity, cargo, shipment or other material of any kind in any building, appliance, apparatus, tank or open stack or pile or any person, upon discovering or being apprised of an uncontrollable hazardous gas leak or hazardous spill, shall immediately notify the Fire Department.

6. AUTHORITY TO COMBAT FIRES AND REGULATE EMERGENCIES

- (a) The Fire Chief shall have authority to pull down or demolish buildings or other erections when considered necessary to prevent the spread of fire and providing compensation for loss or damage sustained by reason of the pulling down or demolishing in any amount equal to the amount of insurance to which the owner would have been entitled had the building been burned.
- (b) The Fire Official conducting operations in connection with the extinguishment and control of any fire, explosion or other emergency shall have full power and authority to direct all operations of fire extinguishment or control and to take the necessary precautions to save life, protect property, and operations, including the investigation of the cause and origin of such emergency.
- (c) The Fire Official may control or prohibit the approach to the scene of such emergency, by any vehicle or thing and all persons.
- (d) No person except a person authorized by the Fire Official in charge of any emergency scene shall remove, unlock, destroy, or tamper with or otherwise molest in any manner any locked gate, door, barricade, chain, enclosure, sign, tag, or seal that has been lawfully installed by the Fire Department or by its order or under its control.

7. INSTALLATION OF STORAGE TANKS

- (a) Any person installing or causing the installation of an underground or above ground storage tank designed or intended for the storage of flammable or combustible liquids, or modifying or causing the modification of such tank already installed, shall notify, in writing, the Fire Chief of the Fire Department of the City of Yorkton before proceeding with the installation.
- (b) The notice required in subsection (7)(a) shall include:
 - (i) the location and address of the place intended or used for the installation of the container;
 - (ii) a description in writing or by drawing, or both, of the work proposed to be carried out;
 - (iii) the name of the person or company proposed to carry out the installation or modification; and
 - (iv) the name of the person or company responsible for the container.

8. ROOFING KETTLES

This section shall apply to portable equipment, either with or without wheels, used for heating tar, pitch asphalt, or other such similar substances for application on roofs, streets, floors, pipes or other objects. The following are minimum requirements:

- (a) Lids that can be gravity operated shall be provided on all roofing kettles.
- (b) Fuel containers, burners and related appurtenances of roofing kettles in which liquefied petroleum gas is used for heating shall comply with all requirements of N.F.P.A. 58, "Standard for the Storage and Handling of Liquefied Petroleum Gas".
- (c) Open flame in a roofing kettle while in transit is prohibited.
- (d) There shall be at least one 40:BC rated portable fire extinguisher within a 9.14m horizontal travel distance of every roofing kettle at all times while the same is in operation.
- (e) All improved streets shall be protected from burning by use of sand or other noncombustible materials under roofing kettles.

9. OPEN-AIR FIRES

9.1 Open-air fires shall not be set unless the following measures are taken to limit their spread:

- (a) Fires must be contained in a non-combustible receptacle constructed of cement, brick or sheet metal with a minimum 18-gauge thickness.
- (b) Any Receptacle constructed of brick, or cement must be constructed so as not to allow embers to pass between bricks or mortar.
- (c) Any receptacle constructed of sheet metal must be free from signs of decay.
- (d) Grass and vegetation must be kept free from over growth minimum 48" (1220mm) from receptacle in all directions.
- (e) A receptacle may not be placed within 118" (3000mm) of any combustible construction, including but not limited to decks, garages, fences, or residential homes (regardless of the outside finish), unless a greater clearance is required by the manufacturer of the appliance, in such case the greater clearance will be observed.
- (f) A receptacle placed on a combustible surface will have non-combustible protection beneath the receptacle extending no less than 18" (46mm) beyond the receptacle.
- (g) In the case of certified appliances, the manufacturer's specifications will be followed. If the manufacturer does not list these clearances, see 9.1(e) of this document.
- (h) Fuel as defined in Section 9.2.2 of this document shall be kept a minimum 72" (1830mm) from receptacle.

- (i) A receptacle must be covered with a heavy gauge metal screen with openings not exceeding 13 millimeters; and
- (j) the size of the fire box of any receptacle shall not exceed .61 cubic meters (21.54 cubic ft).
- (k) Care should be exercised not to have smoke entering soffits or open windows, as this could create unsafe levels of carbon monoxide in living spaces.

9.2.1 The fuel for open-air fires may consist only of charcoal or cut, seasoned wood.

9.2.2 The burning of the following material is prohibited:

- (i) rubbish;
- (ii) garden & lawn refuse;
- (iii) manure;
- (iv) livestock or animal carcasses;
- (v) any material classified as a dangerous good by the *National Fire Code as adopted in section 3* of this document; and any material which when burned will generate black smoke or an offensive odor including insulation from electrical coring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosoted wood, treated wood or any similar material.
- (vi) Open-air fires must be supervised so as to prevent their spread.
- (vii) Open-air fires must not be set in windy conditions conducive to creating a running fire or a nuisance to another person.
- (viii) If smoke from an open-air fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire must be extinguished immediately.

9.3 The Fire Chief or discretionary designate assigned by them, may at any time revoke or limit the ability to burn open air fires within the City of Yorkton for reasons of public safety, weather conditions or past non-compliance with this Bylaw.

9.4 An outdoor burning permit is required for each calendar year, and shall be obtained from the Yorkton Fire protective Services.

~~9.3 — Everyone who commits an offence under this section is guilty of a summary offence and liable to a fine of \$300.00.~~

10. LEAKING FLAMMABLE LIQUID TANKS OR PIPING

Whenever flammable liquids or vapors are suspected to emanate from underground or above-ground tanks or piping and in the opinion of the Fire Chief could create a hazardous condition, he may order the owner, tenant, occupant or agent responsible to drill test holes, to test tanks and piping, to excavate the tanks and piping and to carry out other procedures necessary in order to expose and replace, repair or correct hazardous conditions.

11. HAZARDOUS, FLAMMABLE OR CHEMICAL DISCHARGES

No person, industry, or manufacturer shall discharge or permit to be discharged into any

sanitary sewer, storm sewer, sewer connection, catch basin, ditch, lane, or street, any flammable liquid or hazardous chemical either by itself or in combination with any other liquid or solid. An Enforcing Authority may make such orders as are deemed necessary in order to eliminate the said discharge, and to temporarily shut down any activity or operation suspected of being the source of the discharge.

12. INSPECTION, TESTING AND MAINTENANCE OF PORTABLE FIRE EXTINGUISHERS

- (a) In accordance with Article 6.2.4.1 of *The National Fire Code as adopted in Section 3*, all portable fire extinguishers shall be inspected, tested and maintained in conformance with NFPA 10, “Portable Fire Extinguishers”.
- (b) Inspection, testing and maintenance of portable fire extinguishers shall be performed by properly trained and qualified persons.
- (c) Any person who intends to inspect, test or maintain portable fire extinguishers shall submit proof of proper training to the Department before carrying out any inspections, testing or maintenance.
- (d) Upon proof of proper training, the Department shall issue to the person a permit to inspect, test and maintain portable fire extinguishers in the City, which permit shall be valid for the term specified on the permit.
- (e) No person shall inspect, test or maintain portable fire extinguishers without a valid permit from the Department.
- (f) In addition to the permit under subsection (12)(d), the City shall issue to the person an identification number. Any label affixed to an extinguisher after a hydrostatic pressure test or any tag attached to an extinguisher after maintenance or recharge shall, in addition to the information required by Articles of *The National Fire Code as adopted in Section 3*, contain the identification number of the person who performed the test or maintenance on the extinguisher.

13. INSPECTION AND MAINTENANCE OF COMMERCIAL COOKING EQUIPMENT

- (a) In accordance with sentence 2.6.1.9(2) of *The National Fire Code as adopted in Section 3*, the inspection and maintenance of commercial cooking equipment exhaust and fire protection systems shall be in conformance with NFPA 96, “Ventilation Control and Fire Protection of Commercial Cooking Equipment”.
- (b) Inspection and maintenance of commercial cooking equipment exhaust and fire protection systems shall be performed by properly trained and qualified persons.
- (c) Any person who intends to inspect or maintain commercial cooking equipment exhaust and fire protection systems shall submit proof of proper training to the Department before carrying out any inspections or maintenance.

- (d) Upon proof of proper training, the Department shall issue to the person a permit to inspect and maintain commercial cooking equipment exhaust and fire protection systems in the City, which permit shall be valid for the term specified on the permit.
- (e) No person shall inspect or maintain commercial cooking equipment exhaust and fire protection systems without a valid permit from the Department.
- (f) In addition to the permit under subsection (13)(d), the City shall issue to the person an identification number. Any label or tag affixed to a commercial cooking equipment exhaust and fire protection system after inspection or maintenance shall, in addition to the information required by *The National Fire Code as adopted in Section 3*, contain the identification number of the person who performed the inspection or maintenance of the system.

14. INSPECTION AND MAINTENANCE OF SPRINKLER AND STANDPIPE SYSTEMS

- (a) Inspection and maintenance of sprinkler and standpipe systems shall be performed by properly trained and qualified persons.
- (b) Any person who intends to inspect or maintain sprinkler and standpipe systems shall submit proof to the Department that the person holds a journeyperson's certificate in the sprinkler systems installer trade or that the person is a fourth year apprentice in the sprinkler systems installer trade.
- (c) Upon proof of the matters referred to in subsection (14)(b), the Department shall issue to the person a permit to inspect and maintain sprinkler and standpipe systems in the City, which permit shall be valid for the term specified on the permit.
- (d) No person shall inspect or maintain sprinkler and standpipe systems without a valid permit from the Department.
- (e) In addition to the permit under subsection (14)(c), the Department shall issue to the person an identification number. Any label or tag affixed to a sprinkler or standpipe system shall, in addition to the information required by *The National Fire Code as adopted in Section 3*, contain the identification number of the person who performed the inspection or maintenance on the sprinkler or standpipe system.

15. RENTAL HOUSING LICENCES AND INSPECTIONS

- (a) No person shall own or operate rental housing units without obtaining a Rental Housing Licence from Fire Protective Services.
- (b) No person shall provide false or misleading information to the City or Fire Official at any time, including when applying for a Rental Housing Licence or renewing the Rental Housing Licence.
- (c) A Rental Housing Licence is valid for a duration of four years, with its expiration on December 31st of the fourth year.
- (d) An inspection must be arranged with Fire Protective Services to inspect the premises. A minimum of two weeks' notice must be provided to arrange an inspection.

- (e) No person shall fail to comply with an Order to remedy deficiencies identified through a rental housing inspection.
- (f) Licence fees are non-refundable and licences are not transferrable.
- (g) A Fire Official may refuse to issue a licence or revoke a licence if it is determined that deficiencies need to be remedied.

16. LIFE SAFETY SYSTEMS OUT OF SERVICE

- (a) No person who owns or operates a property shall fail to notify Fire Protective Services when life safety systems are out of service, where life safety systems are installed. This does not include periods where testing or maintenance are done by a qualified technician.
- (b) Every property owner or operator shall obtain a permit from Fire Protective Services for the period that life safety systems are out of service.

17. SUPPLEMENTAL HEAT

- (a) No person who owns or operates a rental property shall fail to notify Fire Protective Services when supplemental heat is being used in a building.
- (b) Every property owner or operator shall obtain a permit from Fire Protective Services for the period that the supplemental heat is being used.

~~18.~~ INSPECTION, TESTING AND MAINTENANCE OF FIRE ALARM SYSTEMS

- (a) In accordance with article 6.3.1.2 of *The National Fire Code as adopted in Section 3*, the inspection, testing and maintenance of fire alarm systems shall be in conformance with CAN/ULC-S536-M, “Inspection and Testing of Fire Alarm Systems”.
- (b) Inspection, testing and maintenance of fire alarm systems shall be performed by properly trained and qualified persons.
- (c) No person shall inspect, test or maintain a fire alarm system without first obtaining a valid permit issued by the Department.
- (d) Any person who wishes to obtain a permit to inspect, test or maintain fire alarm systems shall submit proof satisfactory to the Department that the person:
 - (e) is, or the person’s employer is, a member in good standing of the Canadian Fire Alarm Association or the National Fire Protection Association; and,
 - (f) has at least one of the following qualifications:
 - (i) a certificate from a recognized alarm manufacturer that the person is a factory trained installer and serviceperson; or
 - (ii) a certificate that the person has successfully completed the Canadian Fire Alarm Association “Fire Alarm Technology” program, and has worked as an apprentice to a person who holds a permit under this section for a period of not less than one year; or

- (iii) a certificate that the person has successfully completed the journeyman electrician trade's upgrading course entitled "Fire Alarm and Protection Systems".
- (g) For purposes of this section "Addressable Fire Alarm System" means a fire alarm system that consists of initiating devices and central appliances and that is capable of individually identifying and controlling discrete components and functions of the system.
 - (i) Only authorized factory trained personnel may service addressable fire alarm systems.
 - (ii) Any person who wishes to obtain a permit to test, inspect or maintain addressable fire alarm systems shall submit proof satisfactory to the Department that the person:
 - a. is, or the person's employer is, member in good standing of the Canadian Fire Alarm Association or the National Fire Protection Association; and
 - b. possesses appropriate factory training in servicing addressable fire alarm systems.
- (h) Upon proof of the matters referred to in subsections ~~(4518)~~(d) and ~~(4518)~~(g)(ii), the Department shall issue to the person the appropriate permit to inspect, test and maintain fire alarm systems in the City, which permit shall be valid for the period specified on the permit.
- (i) The Department may, at its discretion, cancel, revoke or suspend the permit of any person who in the opinion of the Department has contravened any of the provisions of this bylaw.
- (j) In addition to the permit under subsections ~~(4518)~~(d) and ~~(4518)~~(g)(ii), the Department shall issue to the person an identification number. Any label or tag affixed to a fire alarm system shall, in addition to the information required by *The National Fire Code as adopted in Section 3*, contain the identification number of the person who performed the inspection, test or maintenance on the fire alarm system.

~~4619.~~ CORRECTION OF IMMEDIATE HAZARDS

- (a) Whenever the Enforcing Authority finds in a church, school, rink, apartment block, hotel, motel, restaurant, night club, bingo parlor or other building used by the public as a resort or place of public amusement, that any entrance doors or any emergency exit doors are blocked, barred, bolted, or locked in any manner other than with standard panic hardware or a form of quick-acting hardware during the time when the building is being publicly used, he may order the owner, tenant or occupant responsible to immediately remove all such blockages, bars, bolts, padlocks, chains or other devices so that the doors can be readily opened from the interior.
- (b) Whenever a Fire Official finds combustible or explosive material, flammable liquids or hazardous chemicals being used, stored or kept in such a manner as to constitute a threat to persons or property, he may, verbally or in writing, order the owner, tenant occupant or agent responsible to remove the combustible or flammable liquid, or explosive material or hazardous chemical immediately from the building or premises.

- (c) Whenever a Fire Official finds a building, structure or premises or part of a building, structure or premises which is unoccupied and which, in his opinion, is not being kept in a safe condition to guard against fire or the risk of fire or other dangerous risk or accident, he may order the owner, tenant, occupant or agent responsible to remedy the dangerous condition and to secure the building, structure or premises or part of the building, structure or premises in such a manner as to prevent any unauthorized entry of the building, structure or premises or part of a building, structure or premises by any person while it is unoccupied.
- (d) In the event of an immediate hazard if the owner, tenant, occupant or agent responsible refuses and/or neglects to comply with the order of a Fire Official to remedy the hazardous condition or if the owner, tenant, occupant or agent responsible for the building cannot be located, a Fire Official may take such action as is appropriate, without notice and at the expense of the owner, tenant, occupant or agent responsible for the building.
- (e) Without limiting the generality of the foregoing, when measures must be taken to avoid an imminent danger of fire or risk of accident, a Fire Official may cause the evacuation of any building or area, and he may order that the building remain evacuated until the hazard is removed, and may call upon the Police and the Fire Prevention authorities to assist him in this regard.

20. UNSAFE OUTDOOR LIVING

- (1) No person may erect an encampment, temporary shelter or tent on City owned or public property:
 - (a) On or within 100 meters of a school or daycare centre;
 - (b) On or within 100 meters of a playground, pool, or spray park;
 - (c) On or within 100 meters of an occupied residential or commercial property;
 - (d) On or within five meters of any street, sidewalk, boulevard, or pathway;
 - (e) On or within 50 meters of any sports field as designated by the Recreation and Community Services Department;
 - (f) Within any fenced-in off-leash dog park;
 - (g) On any cemetery, including its roads or lanes within the cemetery;
 - (h) On or within any entrance, exit or doorway to a building or structure, and including, without limiting the generality of the foregoing, an area adjacent to such entrances or exits required in the event of a fire or emergency;
 - (i) Against, under, or be attached or tied to any building or permanent structure.
- (2)
 - (a) No more than five tents or temporary shelters are permitted to be in a 100 square meter area.
 - (b) No tent or temporary shelter may be within four meters of an entrance or exit of another tent or temporary shelter.
- (3) Notwithstanding Subsections 20(1) and 20(2), at the discretion of a Fire Official or Community Safety Officer, the following fire safety or life safety conditions may cause an encampment, temporary shelter or tent to be deemed unsafe outdoor living:

- (a) Combustible nature of materials used;
 - (b) Open fires;
 - (c) Proximity of structures/shelters to each other and to other combustible structures;
 - (d) Improvised heating sources being used including candles, fires, and propane heat in close proximity/within the entrance of the shelter;
 - (e) Heaters not used for intended design;
 - (f) Accumulation of material and debris that could impede the egress of residents from their shelter/structure and promote the spread of fire to another shelter in the event of an emergency.
- (4) If an encampment, temporary shelter or tent is deemed unsafe outdoor living, a Fire Official may order the encampment, temporary shelter or tent to be removed or the unsafe conditions to be remedied.
- (5) Notwithstanding Section 20(3) and 20(4), where there is no shelter accommodations available in the City, a houseless person may, without permission from the City, take up temporary shelter, tent or encampment on City owned property provided the person removes the temporary shelter, tent or encampment during the daytime and abides by other provisions of this Bylaw.

~~1821.~~ FEES FOR SERVICE

The Yorkton Fire Department is authorized to charge the applicable fees for the various services, tests and emergency responses as listed in Schedule "A" attached to and forming part of this bylaw.

~~1822.~~ OFFENCES AND PENALTIES

- (1) No person shall:
- (a) tamper with fire exit doors, portable or fixed extinguishing systems, automatic sprinkler systems, manual or automatic fire alarms or any other fire safeguards installed in a building or premises; or
 - (b) without reasonable cause, make or cause to be made a false alarm of fire or other dangerous risk.
- (2) Everyone commits an offence who:
- (a) blocks an exit or access to an exit in any building;
 - (b) neglects to maintain in operating condition a fire exit door or fire exit hardware on a fire exit door in any building;
 - (c) neglects to maintain portable fire extinguishers in any building in conformance with the *National Fire Code of Canada as adopted in section 3*;
 - (d) neglects to maintain an automatic sprinkler system, special extinguishing

system or fire alarm system in any building so required in conformance with the *National Fire Code of Canada as adopted in section 3*;

- (e) permits combustible waste materials to accumulate in or around any building in quantities or locations that will constitute an undue fire hazard;
- (f) stores flammable liquid or compressed liquids in any building structure or open space except in the manner provided in the *National Fire Code of Canada as adopted in section 3*;
- (g) blocks or wedges open a door, shutter, wired glass or glass block in a fire separation in any building;
- (h) contravenes the provisions of Section 9 of this bylaw regarding the setting of open-air fires;
- (i) drives any vehicle over any hose while in use or about to be used at any fire or which has been laid to be used at a fire or a fire practice;
- (j) hinders or obstructs any Firefighter, or other person who shall be assisting at the extinguishment of any fire or emergency, or who may be engaged in other duties connected therewith or disobey any lawful command of the Fire Official in charge of the emergency, or any part thereof, or the order of a Police Officer assisting the Fire Department;
- (k) obstructs, hinders or delays any fire apparatus while the same is proceeding to a fire or other emergency;
- (l) fails to yield the right of way, while travelling, riding, or driving on any street or place along which any fire apparatus is proceeding to a fire or other emergency;
- (m) dispenses or allows to be dispensed, a flammable or combustible liquid into the fuel tank of a motor vehicle while its engine is running;
- (n) fails to maintain a clear and unobstructed exit or means of egress as required by the National Fire Code;
- ~~(o) fails to maintain a fire exit door or fire exit hardware as required by the National Fire Code;~~
- (p) fails to ensure exterior passageways and exterior exit stairs serving occupied buildings are maintained clear of ice and snow accumulations as required by the National Fire Code;
- (q) obscures or obstructs a fire Department connection as required by the National Fire Code;
- (r) fails to post an occupant load sign as required by the National Fire Code;

- (s) fails to maintain a clearance of 45 cm (18 inches) between sprinkler heads and products as required by the National Fire Code;
 - ~~(t) contravenes any of the provisions relating to open air fires Fire Pits and Outdoor Fireplaces as required by this Bylaw;~~
 - (u) operates a rental housing unit without obtaining a Rental Housing Licence from Fire Protective Services;
 - (v) provides false or misleading information to the City or Fire Official at any time, including when applying for a Rental Housing Licence or renewing the Rental Housing Licence;
 - (w) fails to comply with an Order to remedy deficiencies identified through a rental housing inspection;
 - (x) fails to notify Fire Protective Services of life safety systems out of service;
 - (y) fails to notify Fire Protective Services of supplemental heat used.
- (3) Everyone who commits an offence under this section is guilty of a summary offence and liable to a fine of \$300.00.
- (4) The following procedure shall apply for offences committed under this section:
- (a) a Fire Official or any member of the Fire Department may issue a Notice of Bylaw Violation to every person committing an offence under this section of the bylaw. This notice shall require the person to pay ~~to the City Treasurer of Yorkton~~ the amount named in Section ~~18.322(3)~~;
 - ~~(b) a Community Safety Officer or Bylaw Enforcement Officer may issue a Notice of Violation to every person committing an offence under subsection 20(2)(h) of the bylaw. The notice shall require the person to pay the amount listed in Section 22(3).~~
 - (c) the fine may be paid:
 - (i) in person, during regular working hours, to the cashier located at City Hall, Yorkton, Saskatchewan;
 - (ii) by deposit at the depository located at the main entrance to City Hall, Yorkton, Saskatchewan; or
 - (iii) by mail, post marked within the prescribed 14 day period, to ~~the office of the City Treasurer, City of Yorkton~~ City Hall, Box 400, Yorkton, Saskatchewan, S3N 2W3.
 - (d) if payment of the fine as provided in this section is made prior to the date when the person contravening the bylaw is required to appear in court to answer the charge, the person shall not be liable for prosecution of that offence.

~~1923.~~ Every person who contravenes any provision of this Bylaw for which no other penalty is specifically provided is guilty of an offence and liable on summary conviction to a fine of not more than:

- (a) \$2000.00 in the case of an individual;
- (b) \$5000.00 in the case of a corporation;

or, in default of payment by an individual, by imprisonment for a term of not more than ninety (90) days.

- (c) No person who is convicted of an offence for non-compliance with an order of a Fire Inspector is relieved from compliance with the order, and the convicting Provincial Magistrate or Justice of the Peace shall, in addition to any fine, order that person to do, within a specified period of time, any act or work necessary to remedy the non-compliance.
- (d) Any person who fails to comply with the order of a Judge made pursuant to subsection (c) is liable to a further fine of not more than \$200.00 for each day during which he fails to comply.

~~2024.~~ If the owner, tenant or occupant responsible for the building or premises refuses or neglects to do any matter or thing required to be done by him hereunder by the Enforcing Authority, the matter or thing may be done by the City of Yorkton at the expense of the person in default, and the City of Yorkton may recover the expenses of doing so with costs by adding the expenses to, and thereby form part of the taxes on the land on which or with respect to which the work is done.

~~2125.~~ ENFORCEMENT PROCEEDING

- (1) The Fire Official or Fire Inspector shall enforce the provisions of this Bylaw, exercising all the powers and duties conferred on them by *The Fire Prevention Act*, or any successor to that Act.
- (2) A Community Safety Officer shall only enforce Section 9, Section 20 and Section 22 of this Bylaw.

~~2226.~~ APPEAL FROM DECISION OF THE ENFORCING AUTHORITY

Where a Fire Inspector exercises the authority conferred under the National Fire Code or this bylaw to allow or deny any action, use or thing, any person aggrieved by the decision may appeal to the Fire Commissioner of the Province of Saskatchewan as set out in Schedule "B" attached to and forming part of this bylaw.

~~2327.~~ SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court

shall not affect the validity of the remaining portions of the bylaw.

2428. REPEAL OF BYLAW

Bylaw No. 41/96 passed on the 21st day of October, 1996 providing for the prevention and extinguishment of fires and for the preservation of life and property from destruction by fire and all amendments thereto are hereby repealed.

2529. EFFECTIVE DATE OF BYLAW

This Bylaw shall come into force and take effect on the day of the final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this 31st day of May, A.D., 2010.

Read a second time this 31st day of May, A.D., 2010.

Read a third time and adopted this 14th day of June, A.D., 2010.

SCHEDULE “A”

Fees ~~for Service~~

1. Inspection Services

- (1) Third party requests for business premises required for a Provincial or Federal grant or license \$~~50.00~~ \$125.00/hour
- ~~(2) File Search \$50.00~~
- (3) Requested site inspection (other than rental housing licence inspection) \$~~50.00~~/hour \$125.00/hour
- (4) Underground tank Removal or Installation Inspection \$~~50.00~~/hour \$125.00/hour

2. Hydrant Flow Test

\$~~100.00~~ \$325.00/Hydrant

3. Emergency Response Charges

- (1) Dangerous Goods Response
 - (a) Rail Carrier \$~~500.00~~ \$1,200.00/hour
 - (b) Highway Carriers
 - (i) Out of City Response \$~~500.00~~ \$1,200.00 per unit ~~plus clean-up~~ plus staffing costs plus disposables
 - (ii) In City Non Resident Carrier \$~~450.00~~ \$1,200.00 per unit ~~plus clean-up~~ plus staffing costs plus disposables
- (2) Fire Suppression
 - (a) Apparatus \$1,000.00/hour per unit
 - (b) Consumables
 - (i) Fire Hose \$250.00/50’ length
 - (ii) Foam \$350.00/20 litres used
 - (iii) Tools at replacement cost
- (3) Investigation
 - (a) Scene Security \$75.00/hour per member
 - (b) Materials at cost

4. Rescue Response

- (1) Highway Rescue/Jaws of Life SGI Rate
- (2) Out of City Rescue/Standby SGI Rate

4. Motor Vehicle Accident

- (3) Non-Resident Per SGI Fixed Rate

	(4) Resident	Per SGI Fixed Rate
5.	<u>Permit Fees (Non-Refundable)</u>	\$20.00
	(1) Open Air Burn Permit	\$20.00 annually
	(2) Rental Housing Licence	\$100.00/bedroom
	(3) Life Safety Systems Out of Service	No charge
	(4) Supplemental Heat	No charge

SCHEDULE "B"

APPEAL PROCEDURE

1. APPEALS

- (1) A person who is aggrieved by an order made by the Fire Official or Fire Inspector may, within 20 days of being served with an order, appeal the order to the Fire Commissioner of the Province of Saskatchewan.
- (2) An appeal pursuant to this section shall be made by filing a written notice of appeal setting out the reasons for the appeal on the Fire Commissioner and serving a copy of the appeal on the Fire Official or Inspector.
- (3) The Fire Commissioner shall consider the appeal and may confirm, modify or revoke the order appealed from or substitute his or her own order for the order being appealed from.
- (4) The Fire Commissioner shall cause a copy of his decision to be served on:
 - (a) the appellant;
 - (b) the Fire Official or Inspector; and
 - (c) any other persons whom the Fire Commissioner considers may be interested in the decision.
- (5) An appeal taken pursuant to this section does not operate as a stay of the decision appealed from unless the Fire Commissioner, on an application by the appellant, decides otherwise.

Communication Plan

External – Business Community

Methods of Communication:

1. We will arrange a meeting with the Yorkton Chamber of Commerce to discuss the Bylaw amendment.
2. We have created some FAQ material. This will be a changing document as we receive concerns, feedback, or questions from the business community.

External – General Public

Methods of Communication:

1. We will utilize our Council Committees available to help disperse our key messages to the public.
2. We will look at using QR codes in different areas such as a QR code with “I need help”.
3. We will create a news release that will go to newspaper, CTV, radio stations, etc. and be posted on the website.
4. We will create an FAQ for the public. This will be a changing document as we receive concerns, feedback, or questions from the community.
5. We will create a webpage for people to get information.
6. We can look at creating videos to assist the general public to learn what they need to do if they find someone unresponsive, etc.

External – Houseless Population

Methods of Communication:

1. We will develop a “Street Survival Guide” which was discussed in the mental health and addictions report that we recently completed.
2. We will also endeavor to utilize the QR codes as well which was discussed under the “General Public” category.

Internal – General Staff

Methods of Communication:

1. We will hold face to face training sessions with specific groups so we can focus on things that they may encounter and how to handle it.
2. We will provide FAQ’s as well and scripts for frontline staff. These will get updated as we see what concerns they have or questions they receive.