

Exhibition Local Area Plan (LAP) Meeting #3
Private Property Maintenance
Seventh Day Adventist Christian School - Gym
2228 Herman Ave
March 13, 2019
7:00 pm

Attendees: Lynn Adamson, Kathy Allen, Obadiah Awume, Collene Douglas, Darlene Fonos, Obert Friggstad, Glen Green, Jacqueline Hounjet, Chad Kadyschuk, Omar Linares, Maddyn Llnka, S.J. Potts-Weigets, Keli Propp, G. Redl, Arnie Riise, Maureen Rink, Diana Romero, Cheryle Thompson, A Truong, Laurie Ann Ulmer, Shawn Volk, Darrell Weiget, Richard Huziak, Eunice Miniely, Keith Folkersen & Mark Emmons – co-facilitators, Paul Whitenect – Senior Planner, Holden Blue – Planner, Shirlene Palmer – Recording Secretary

1. Welcome & Introductions

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

Keith Folkersen introduced himself and Mark Emmons co-facilitator of tonight's meeting and the Exhibition Local Area Plan (LAP) Project and welcomed everyone to the third LAP meeting. He introduced the additional City of Saskatoon representatives in attendance. He noted having co-facilitators will help move through the process quicker so is better use of everyone's time.

2. Vision Statement Update
Mark Emmons, Planner

We would just like to take a minute to show you the Exhibition LAP Vision Statement we developed together at the last meeting. It is also posted online with all of our meeting notes at Saskatoon.ca/LAP. The Vision Statement sets the stage of all the topics we want to discuss at upcoming LAP meetings.

All attendees agreed the Visions Statement is good.

3. Foundations for Success
Keith Folkersen, Planner

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

At our last meeting there were people that had some trouble hearing what was being said so we want to ask that people speak up when stating their comments but also listen quietly when others are speaking.

The Foundations for Successful Meetings for this meeting are:

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

We have different topics for discussion in order to deal with issues that are of the highest importance for the community. We want to ensure we are respectful of everyone's time by staying on topic. If you believe we are missing an important topic please let us know after the meeting or by email.

A major thing we need to stay focused on during this conversation is that we are trying to discuss the issues that you see, understand who can help with them, and determine what we all can do to deal with them. Important to note issues brought up should be general and not about a specific address. Discussion should lead to explaining how the LAP can help and not fight over specifics of a single property.

What are we here to talk about today?

In order to stay on task clarification was given regarding Private verses Public Property issues.

Private Property is property owned or operated by private individuals or businesses. We want to look at how we can address issues through assistance, education, and enforcement. This is what will be discussed tonight.

Public Property would be things like the crumbling and deteriorating sidewalks, roads, alley paving, and anything else that is not private. We will discuss these issues as part of the Municipal Services conversations at a meeting upcoming.

There are many issues that might be brought up tonight that are not part of the "Private Property" topic. If so the issues can be tabled until the appropriate meeting. We want to ensure we stay focused on the topic at hand in order to keep these meetings flowing smoothly.

Essentially today we will talk about how people might be misusing or mistreating sidewalks and lanes but not the quality of paving of the sidewalks and lanes. We will discuss that in a later meeting. Also we want to focus on bad behaviours of people on properties not ownership verses rental.

4. Property Maintenance from Saskatoon Fire Wayne Rodger, Assistant Chief

Assistant Chief Rodger thanked the committee for inviting him to the meeting. He noted Saskatoon Fire Department does many things in the community that he wants to inform the committee about them.

Mission: To protect and enhance Saskatoon Citizen's quality of life.

Vision: The Saskatoon Fire Department is a professional service focused on public safety and risk reduction.

Divisions

- Emergency Operations – Fire Trucks, EMS, Water Rescue, etc
- Fire Prevention and Investigations – This is what he is here to discuss tonight
- Staff Development and Safety – Occupational Training for Staff
- Administration – Ensure information/paperwork can withstand the scrutiny of the courts
- Community Relations – Organizes any events in community
- Central Dispatch – They are the first contact when anyone calls in
- Mechanical and Maintenance – Does all maintenance on vehicles & equipment
- Emergency Management – Group with a lot of knowledge that deals with large incidents, e.g. Instrumental in Humboldt crash, train derailment. They coordinate all the organizations helping.

Staffing

- Total Staffing compliment of 334 this is from the Fire Chief on down who work 24 hrs/day – 365 days/year
- There are 9 fire stations in city. The one in Exhibition has been moved to Clarence Ave & Wilson Cres from York Ave & Taylor St. Even though it is further away the travel time has decreased.
- There are 11 Fire Inspection Boundaries with an inspector for each who is responsible for everything within his district from doing fire inspections, property maintenance requests as well as being on call for any fire in the city.

Emergency Incidents 2018

- In Saskatoon there were 14,426 incidents reported
- Exhibition there were 139
 - Fires – 4
 - EMS – 61
 - Alarms - 24

Fire Prevention and Investigation

Portfolio is made up of:

- Fire Inspections
- Fire Origin and Cause Investigations
- Property Maintenance – this is the largest part of portfolio
- Plan Reviews – prior to construction being done ensures building follows fire code requirement

Responsible for Bylaws

- The Traffic Bylaw 7200
- Private Swimming Pools Bylaw 7981
- Fire and Protective Services Bylaw 7990
- The Transportation of Dangerous Goods Bylaw 8153
- The Property Maintenance and Nuisance Abatement bylaw 8175
- The Underground Encroachment and Sidewalk Safety Bylaw 8995

The inspectors are able to write tickets for violations of **The Fire Safety Act, 2015** e.g. parking ticket if obstructing fire hydrant or in fire lane, inappropriate fencing, gate around pool, etc. The act is the minimum standard for safety used in Saskatoon inspections.

Fire Inspections 2018

Commercial and Multi-Residential

- Saskatoon – 2630
- Exhibition – 129

Doing inspections is a full time job and is done every day.

Property Maintenance

- Provincial Legislation, The Cities Act, 2002
- Municipal Bylaw , The Property Maintenance and Nuisance Abatement Bylaw 7990

City Council decided they wanted Fire Protective Services to follow up on property maintenance complaints. The first year they began doing this there were 300 complaints but since then complaints have risen substantially. Complaints in 2018 for Saskatoon were 2642 which has been consistent over the last 5 years. Of that 2642, 51 were in Exhibition (Priority 1 - 7, Priority 2 - 3; Priority 3 - 41).

The complaints are ranked by 3 categories. Response to complaints based on the priority level and the date with which each are received.

- **Priority 1** complaints are those that present a direct risk exposing the public to an unacceptable risk of injury. E.g. non operable smoke alarm, structural issues with possible collapse
- **Priority 2** complaints are those that present a limited risk to an unacceptable risk of injury to persons, or related to a building exposed to an unacceptable risk to cause damage. E.g. Leaking roof as if not repair can move to a priority 1
- **Priority 3** complaints are those that present a negligible risk to injury to persons or causing damage to a building, but otherwise create a nuisance. E.g. long grass not cut, garbage in back yard, etc

Priority 3 is the most difficult as it is what doesn't fit in the other 2 priorities but also does it create nuisances? A nuisance to one person may not be to another so it is very

subjective. Also noted the community doesn't usually see the Priority 1 issues as they are within a building where Priority 3 are always in plain view.

Inspections 2018

- Saskatoon – 3603
- Exhibition – 103

There are many challenges when you receive a complaint. It can be very time consuming undertaking from when the complaint is received to if and when it is resolved.

Example:

- A notice will be sent to request grass cut
 - Given a couple weeks to comply
 - If not done then issued a ticket of \$250 and give them 2 weeks to cut the grass
 - Go back and still not cut, issue a \$500 ticket and give 2 weeks to comply
 - If they don't pay then a summons is given to them to appear at a plea hearing (this is now 4 months later)
 - If they don't show for plea hearing then a trial date is set
-
- An Order to Remedy can be posted on building as well but then the above process is just repeated.

Council thought money would be a motivator and most of the time it is. If notice is given to do property maintenance it is usually done. If necessary City has contractors that are hired to do the work and bill is added to the yearly property taxes.

Questions:

- **So a notice is given to the renter not the owner of the property?**

Wayne stated the notice is given to the renter as the City hopes the renter will comply with the request.

Comments:

- It doesn't seem fair that notice is given to only renter. If renter does not do what is requested of them and a contractor is hired to complete the work and only when property taxes are being paid is the owner made aware of the issues. This doesn't seem right as what if there are several incidents over a year there could be quite a bit of extra money added onto the taxes for the property owner.

Wayne noted this is done as some time owners are out of province so feel renter is the one living on property so they are made aware.

Clarification Note from after meeting:

If the owner is out of the province, it is the City's expectation they have a local representative empowered to act on their behalf.

All documentation be it reports, orders or tickets are directed to the legal property owner. Initial inspection reports are emailed to the owner or mailed via Canada

Post. For legal notices such as orders and tickets, the City will post a copy on the premise as a means of service as well as send to owner via registered mail. These practices for service are direct from both the Cities Act and the Fire Safety Act.

Context Note from after meeting:

It was not the intent of the City to portray our process as dealing with the tenant. The reality is we deal explicitly with the owner. Some of the questions we received seemed to show some confusion so I wanted to ensure that was clear in these notes. I suspect some of the confusion on this comes from our process in addressing sidewalk clearing violations. On sidewalk clearing violations (e.g. snow blocking sidewalks), notices are put in the mailbox or in the case of a vacant lot, posted on a fence or other structure on the property. In these cases providing the notice directly to the property gives us the ability to address these complaints in a timely manner.

Questions:

- **What type of swimming pools have requirements? In ground, above ground? What about hot tubs?**

Wayne noted anything over 24 inches in depth must follow the requirements.

Comments:

- Had an issue several years ago. A neighbour trimmed their trees and put them behind my fence. I was given notice that it was my responsibility to clean as it was behind my fence in alley. Don't think this was fair.

Questions:

- **If there is a house that has household appliances in front yard, litter in front and back yard can something be done about this?**

Wayne stated complaints can be called in to (306) 975-2828.

- **When you call in a complaint they sometimes ask your name. Can you call in a complaint anonymously or do you have to give your name?**

Wayne stated all complaints will be investigated whether anonymous or not. They reason they ask for a name is there are times when more information may be required so the investigator will contact you. It is illegal for the reporter's name to be given out to anyone even if it goes to court your name would be redacted from any information given to the court.

- **Fences that are dangerous can be called in, for example barbed wire?**

Wayne noted any type of safety issues can be reported. There are times when fences have had broken glass on them or nails pounded in, these are safety concerns.

➤ **In there a definition of nuisance?**

Wayne stated as noted before nuisance can be very subjective but examples are given in The Property Maintenance and Nuisance Abatement Bylaw 7990. If you feel it is a nuisance report it. They will investigate all requests and if bylaw doesn't apply it will be rejected.

➤ **Would not cleaning up dog feces be considered when investigated?**

Wayne noted yes this would be investigated. He noted usually if not cleaning dog feces is an issue there are usually other issues as well that can be investigated.

Property Maintenance from Bylaw Compliance
Matt Grazier, Community Standards, City of Saskatoon

Bylaw Compliance Section

- Single point of contact for most bylaw functions in the City;
- Receive, review and inspect complaints from the public and other agencies;
- Approximately 20 staff, consisting of:
 - Bylaw Inspectors (1 supervisor & 5 inspectors)
 - Planners
 - Engineers
 - Environmental Protection Officers

Bylaws

- Zoning Bylaw
- Traffic Bylaw
- Sidewalk Clearing Bylaw
- Sewer Use Bylaw
- Drainage Bylaw
- Temporary Signs Bylaw

Yearly 3000 to 3500 complaints are submitted.

Zoning Bylaw – Enforcement

- Regulates land uses, intended to minimize conflicts between various land uses.

Includes provisions/standards for:

- Building setbacks, height, size/coverage
- Parking requirements
- Permitted or discretionary land uses
- Landscaping requirements

Common Examples

- Illegal basement suites
- Parking on your lawn (minimum requirement is on gravel in front yard)
- Illegal home-based businesses

Traffic Bylaw - Enforcement

- Regulates the use of City ROW (right of way), which includes City boulevard area and road-top surface.

Includes standards for:

- The storage of material within City ROW;
- Signage within City ROW;
- ROW encroachments

Common Examples:

- Clearing material into the ROW (dirt, gravel, debris)
- Buildings or structures which encroach onto ROW
- Work being done without securing the appropriate permits

Sewer Use Bylaw – Enforcement

- Regulates discharges into the City's Sanitary Sewer System:
- Provisions for restaurants (fats, oil and greases)
- Dental offices (mercury)
- Manufacturers/Industry (high strength waste water, oil and grit)
- Provisions for mobile food trucks (fats, oil and greases)

Common Examples:

- Grease discharges (leading to blockages);
- Lack of proper preventative measures in place (i.e. grease trap, oil/grit separator)

Drainage Bylaw – Enforcement

- Drainage Bylaw regulates lot grading and drainage matters.

Bylaw provisions include:

- Preventing obstructions of drainage swales
- Adherence to lot design grades

Common Examples:

- Sump pump/downspout discharges to adjacent properties
- Grade alterations for walk-out basements
- In general, poorly graded lots
- Obstructions of drainage swales

Sidewalk Clearing Bylaw – Enforcement

- Bylaw ensures that owners/occupants keep flanking portion of sidewalk free and clear of snow, ice and debris.

Includes provisions for:

- Snow/ice/debris removal within 24 hours for commercial areas
- Snow/ice/debris removal within 48 hours residential areas

Complaints

Bylaw compliance is complaint driven verses a proactive approach.

To file a complaint:

- Call: Bylaw Compliance: 306-657-8766
- Email: bylaw.compliance@Saskatoon.ca
- City website: City Hall, Making a Bylaw complaint

Comments:

- It's confusing again why notice goes to renter and not property owner. If renter does not comply then property owner doesn't know about it unit they are billed on property tax.
- As noted above neighbour cut tree down and left behind my fence in alley to clean up. Councilor was involved and at least was able to get me free access to City Landfill but I still was responsible for clearing them away.

Matt noted this is not typical but as it happened so long ago can't look into.

- **Is there any way that something could be created through this process that all sidewalks on main arteries get shoveled right away? Maybe hire someone to do. It is really hard walking when snow is not removed right away.**

Keith noted nothing like this has been created through the LAP process and as this is still private property owner responsibility there would be issues. There is the 48 hours to clear that complaints could be called in if not done.

- **How many sheds can someone have in their back yard? Is there a certain distance that is required between a garage and sheds for drainage issues?**

Matt noted you can only have coverage of a certain amount of your yard. There are not required setbacks required sheds.

Keith noted if there is a drainage issue you can request this be investigated.

- **How far can I trim my neighbour's tree if it is coming into my yard?**

Matt noted there is nothing about this from a City point. This would be between you and your neighbour, a civil issue.

- **Has a neighbour who blows snow and leaves onto the street and alley. Did report and was spoken to but 4 days later was back to doing it. What is the use?**

Matt stated the first time is usually a letter but if there are more complaints then the City will do more.

- **At the first meeting there was a gentleman that was very upset about no parking at his home due to duplexes taking all spots. How much parking is required for duplexes?**

Matt stated that single family homes do not have any parking requirement.

Keith noted at the April 10 meeting the parking issues can be discussed in more detail.

- **The bylaw for parking vehicles on the lawn, does that include boat and trailers?**

Matt stated yes has to be on hard surface or a minimum of gravel.

- **If you want to widen your driveway do you need a permit?**

Matt stated as long as the curb cut out remains the same no permit is needed. If you want to widen the curb you would need a permit.

- **Some power in the area is underground and some is above ground. Is that owner's choice as there seem to be power boxes popping up in alley lately?**

Keith noted this is not an issue that can be answered at this meeting. He will check into it and bring back to committee.

- **Do you enforce noise bylaw?**

Matt noted this is enforced through Saskatoon Police Services.

Keith noted there has been some thought about creating and distributing information that could be shared to let the area know if you have this issue who should you call. Can be discussed further later in the process.

5. Closing Remarks

Mark & Keith thanked everyone for coming out tonight.

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

6. Next Meetings

Neighbourhood Safety

Wednesday, March 27, 2019 at 7:00 pm
Seventh Day Adventist Christian School – Gym

Land Use & Infill Development

Wednesday, April 10th – 7:00pm

Seventh Day Adventist Christian School – Gym

Meeting adjourned at 8:30 pm.