

The following is a copy of **Clause A2, Administrative Report No. 5-2013** which was **ADOPTED** by City Council at its meeting held on **March 18, 2013**:

Section A – COMMUNITY SERVICES

A2) Request For Permission For an Encroachment 102 Spadina Crescent East – Lot 102, Parcel X, Plan No. 101856427 (Files CK. 4090-2 and PL. 4090-2)

RECOMMENDATION: that City Council grant permission for the encroachment at 102 Spadina Crescent East, Lot 102, Parcel X, Plan No. 101856427.

TOPIC AND PURPOSE

The purpose of this report is to seek City Council's permission for an encroachment for portions of the building located at 102 Spadina Crescent East.

REPORT HIGHLIGHTS

1. Encroachment area is 135.21 square metres.
2. Portions of the building extend onto the sidewalk and Spadina Crescent East by up to 8.15 metres.

STRATEGIC GOALS

This report supports the City of Saskatoon's (City) Strategic Goal's of Sustainable Growth and Quality of Life by ensuring that designs of proposed developments are consistent with planning and development criteria, and that these designs do not pose a hazard for public safety.

BACKGROUND

The Building Bylaw No. 7306 states, in part, that:

“The General Manager of the Community Services Department shall not issue a permit for the erection or alteration of any building or structure the plans of which show construction of any kind on, under, or over the surface of any public place until permission for such construction has been granted by Council.”

The proposed encroachment will require City Council's permission before a building permit can be issued for the construction of the proposed building located at 102 Spadina Crescent East.

REPORT

The owner of the property located at 102 Spadina Crescent East has requested permission to allow an encroachment (see Attachment 1). As shown on the Site Plan, sections of the building will encroach onto City property, the sidewalk, and Spadina Crescent East, by up to 8.15 meters (see Attachment 2). The total area of encroachment is approximately 135.21 square metres.

The request for this encroachment has been reviewed by both the Infrastructure Services Department and the Community Services Department; neither department has stated any objection to the encroachment.

OPTIONS TO THE RECOMMENDATION

Should City Council choose not to grant permission for this encroachment as allowed under the provisions of The Building Bylaw No. 7306, a building permit cannot be issued for the current design of the proposed development at 102 Spadina Crescent East.

POLICY IMPLICATIONS

There are no policy implications with the proposed encroachment.

PUBLIC OR STAKEHOLDER INVOLVEMENT

No specific public or stakeholder involvement has been undertaken in regard to the proposed encroachment.

COMMUNICATION PLAN

A communication plan is not required.

ENVIRONMENTAL IMPLICATIONS

No environmental and/or greenhouse gas implications have been identified at this time.

PRIVACY IMPACT

There is no privacy impact.

SAFETY/CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

There are no CPTED implications.

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PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENTS

1. Request for Encroachment Agreement dated January 25, 2013
Rimai Art Gallery of Saskatchewan Encroachment Application Drawings



COMMUNITY SERVICES DEPARTMENT - BUILDING STANDARDS BRANCH
ENCROACHMENT AGREEMENT APPLICATION

February 20, 2009

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REQUEST FOR ENCROACHMENT AGREEMENT

Name of Applicant Bruce Wilson, IS-PROJECTS

Applicant Mailing Address 3130 Laurier Drv, Saskatoon, SK., S7L-5J7

Applicant Telephone 306-975-3188, 306-222-7046

Name of Owner(s) Remai Art Gallery of Saskatchewan
(Official Name That Will Be On Encroachment Agreement)

Owner's Mailing Address City of Saskatoon, 222 3rd Ave. North, Saskatoon, SK, S7K-0J5

Owner's Telephone 306-975-3200

Site Address 102 Spadina Cres. East, Saskatoon, SK

Legal Description of Site Lot 102 Block Parcel X Plan 101856427

Application must include the following documents:

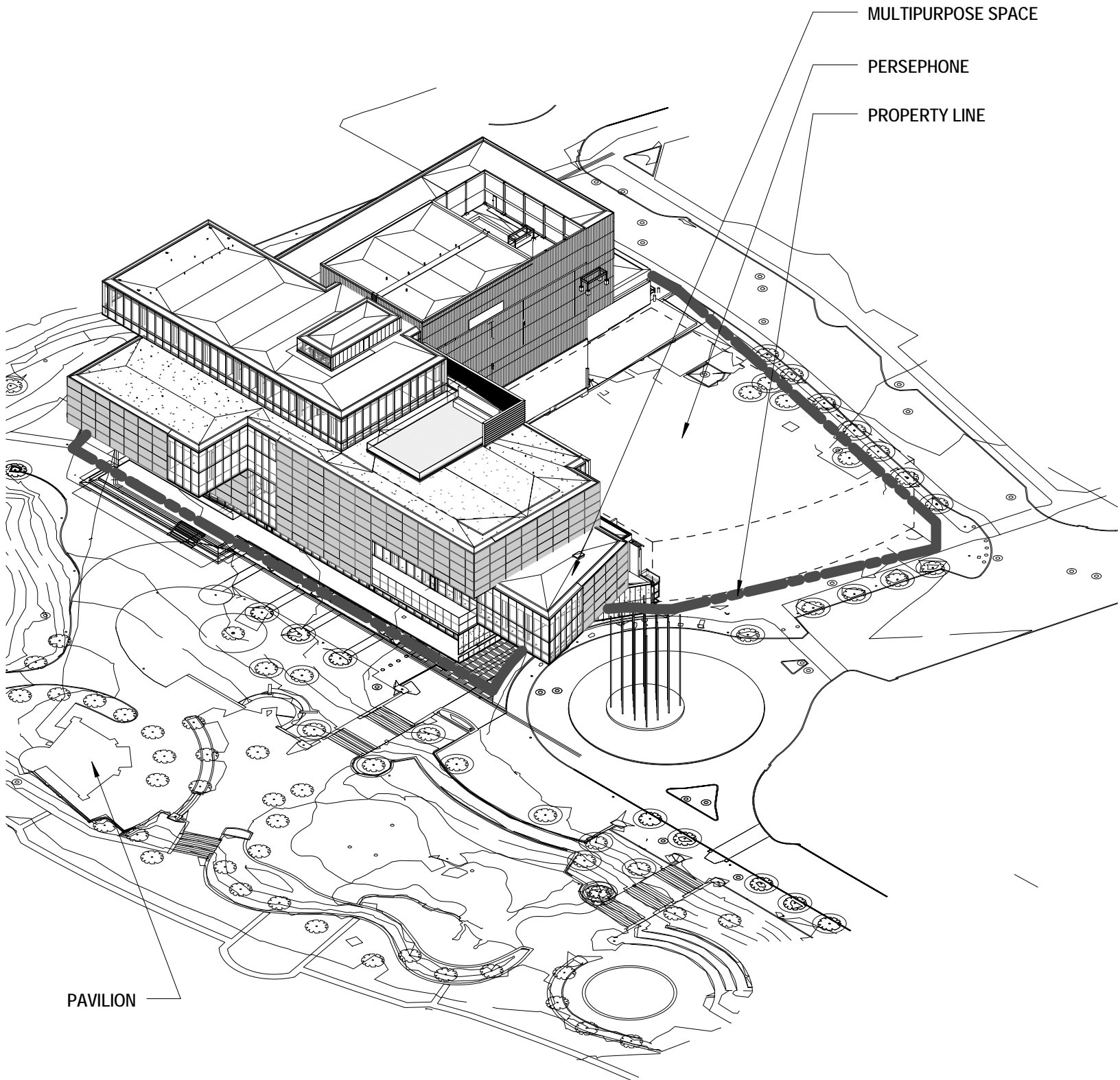
- Existing Encroachments: Current Issued for Construction drawings that clearly outlines the encroaching areas including detailed dimensions of all areas that encroach onto City of Saskatoon Property.
- Proposed Future Encroachments: Detailed drawings of the proposed encroaching areas including detailed dimensions of all areas that will encroach onto City of Saskatoon Property. (Once construction is complete, an updated Real Property Report/Surveyor's Certificate will be required to confirm the areas of encroachment).
- Payment of the \$100.00 Application Fee (Fee is to prepare Encroachment Agreement).

Assuming the encroachment is approved, an annual fee will be applied to the tax notice. This fee is based on the area of encroachment, and is calculated at \$3.25 m². The current minimum fee is \$50.00.

Upon receipt of the request, the *Building Standards Branch* of the *Community Services Department* will request approvals from the necessary Departments and Branches, including the *Development Services Branch*, the *Infrastructure Services Departments* and any other Department or Branch as deemed necessary, depending on the type of encroachment. Upon receipt of the various approvals and that there are no objections to the request the application will be forwarded to next available meeting of City Council for their approval. Once City Council has approved, the City Clerks office will advise the applicant of Council's decision, and will prepare the agreement. Please note that requests encroachment agreements may take 6 to 8 weeks to process.

Applicant Signature *Bruce Wilson* Application Date January 25/13

REMAI ART GALLERY OF SASKATCHEWAN ENCROACHMENT APPLICATION DRAWINGS

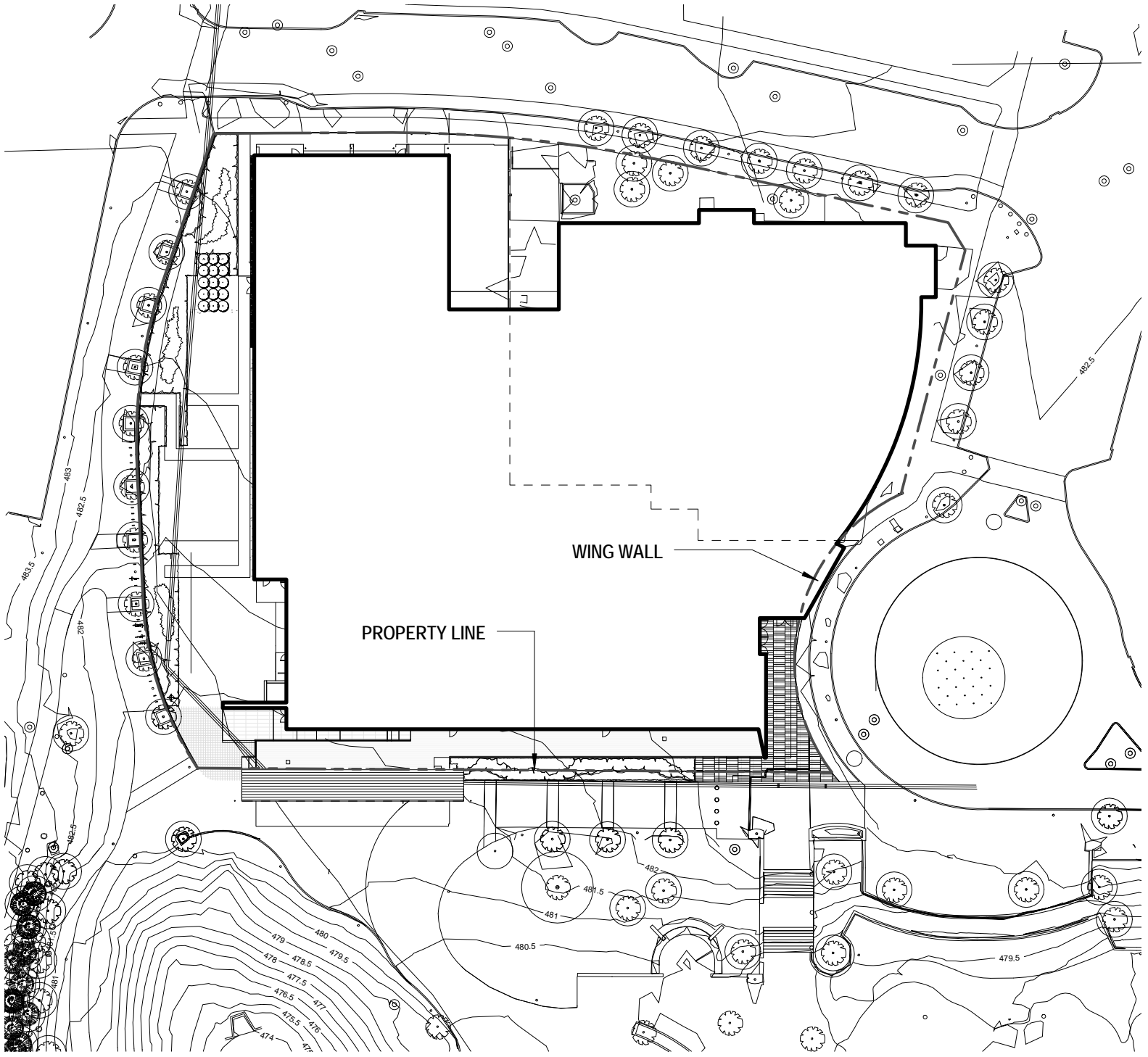


MULTIPURPOSE SPACE

PERSEPHONE

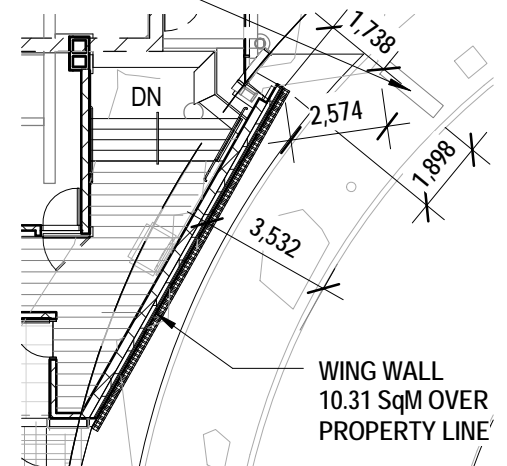
PROPERTY LINE

PAVILION

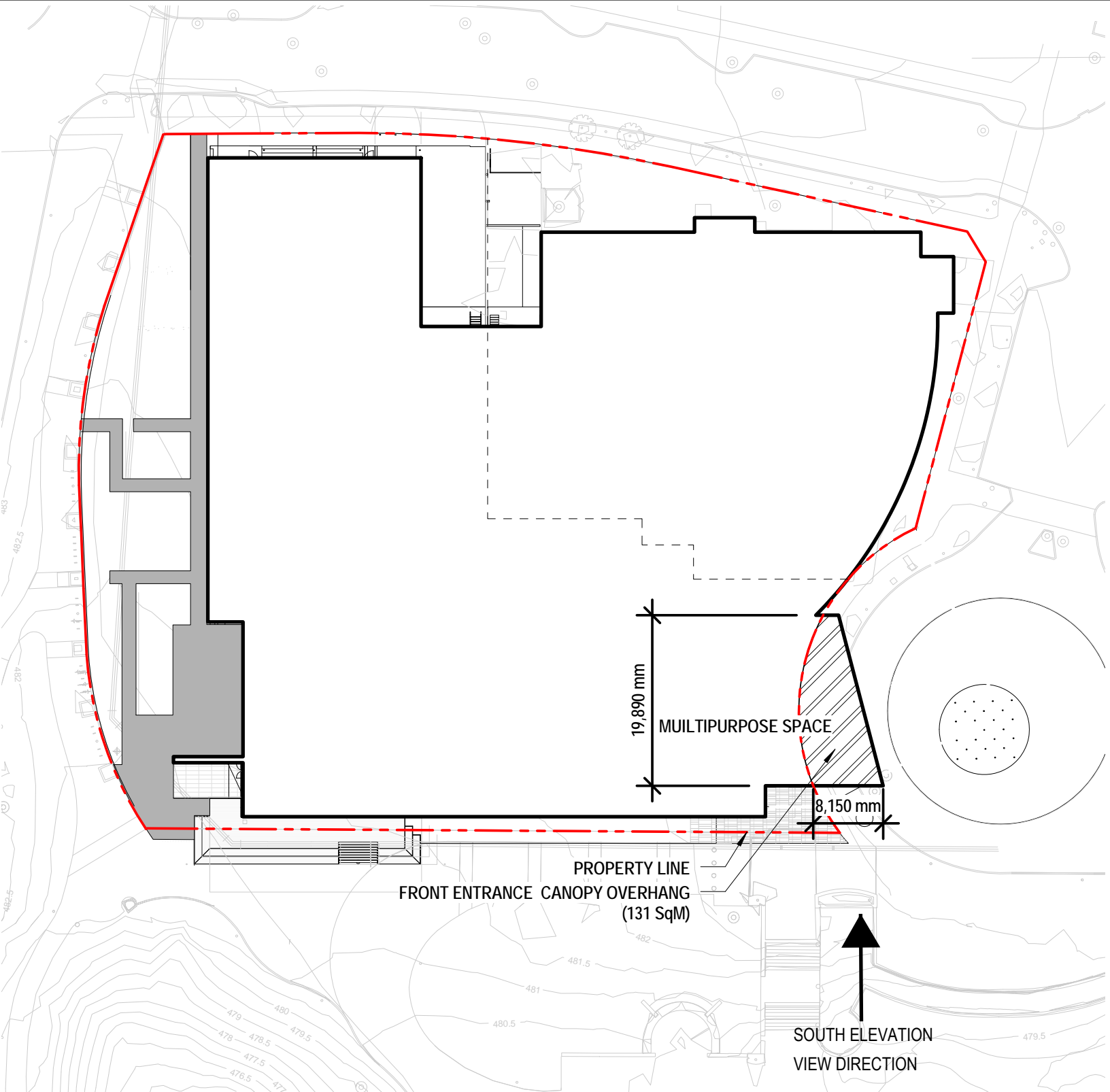


GROUND FLOOR

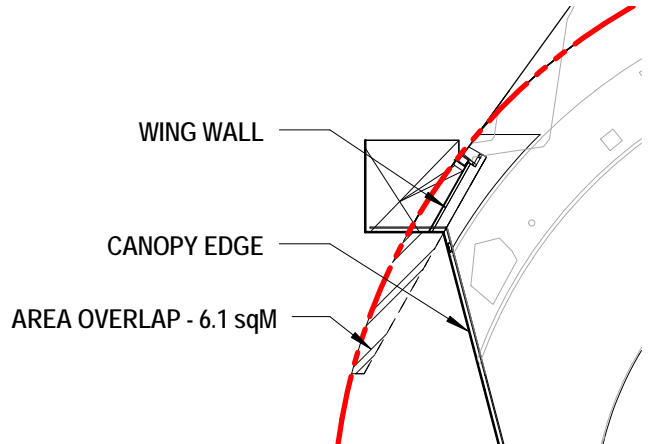
EXISTING DIRECTORY SIGN

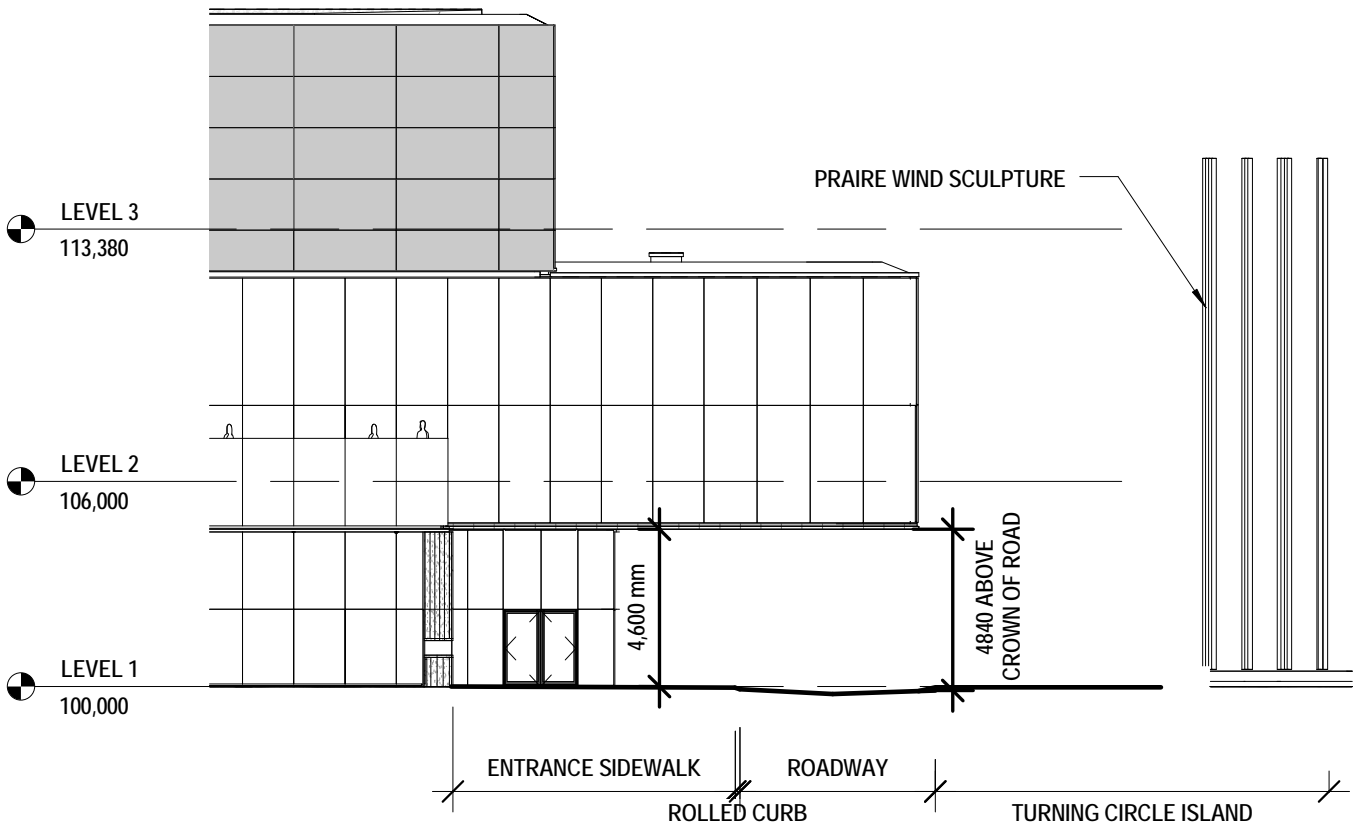


DETAIL AT WING WALL



LEVEL TWO





FRONT ENTRANCE - SOUTH ELEVATION (LOOKING NORTH)