

AMENDED BY
 Bylaw No. 66 of 1968
 Bylaw No. 33 of 1977
 Bylaw No. 56 of 1981
 Bylaw No. 33 of 1989

CITY OF PRINCE ALBERT
 Saskatchewan

CERTIFIED A TRUE FULL AND CORRECT COPY

CITY CLERK

CITY OF PRINCE ALBERT

BYLAW NO. 37 OF 1960.

A Bylaw of the City of Prince Albert
 to provide for controlling the sub-
 division of land.

WHEREAS the Community Planning Act, 1957, provides that the Council, may by Bylaw, make regulations not inconsistent with the provisions of the said Act for controlling the subdivision of land;

NOW THEREFORE THE COUNCIL OF THE CITY OF PRINCE ALBERT IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

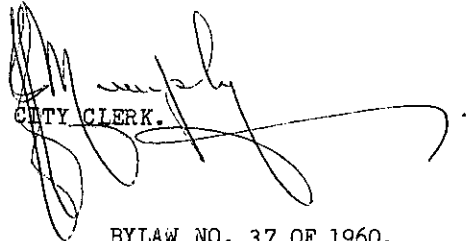
1. The regulations for controlling the subdivision of land hereto annexed and marked Appendix "A" and forming a part hereof, are hereby approved.
2. From and after the date on which this Bylaw becomes effective, all subdivision of land in the City of Prince Albert shall be subject to said Appendix "A".
3. This Bylaw shall come into force and take effect on receiving the approval of the Minister of Municipal Affairs as required under the provisions of the Community Planning Act, 1957.
4. Bylaw Number 40 of 1953 is hereby repealed.

INTRODUCED AND READ A FIRST TIME THIS 7TH DAY OF JUNE
 A. D., 1960.

READ A SECOND TIME THIS 6TH DAY OF APRIL
 A. D., 1961.

READ A THIRD TIME AND PASSED THIS 6TH DAY OF APRIL
 A. D., 1961.


 MAYOR


 CITY CLERK.

BYLAW NO. 37 OF 1960.

SCHEDULE "A" TO BYLAW NO. 37 OF 1960

Regulations respecting the subdivision or re-subdivision of land within the City of Prince Albert.

1. SUBDIVISION AND RE-SUBDIVISION OF LAND:

Before the owner of any land within the City of Prince Albert may reserve, lay out, grant or convey any street, road or public right-of-way, or subdivide any land into lots or parcels, for the purpose of use, sale or transfer, or re-subdivide any land for the purpose of sale, use or transfer or for altering the direction of frontage, such owner shall make application to the City of Prince Albert in accordance with these regulations.

2. FORM OF APPLICATION:

All applications to the City Council for approval under these regulations shall be made in writing to the City Clerk.

3. INFORMATION TO BE FURNISHED:

Each application shall be accompanied by the following information:

- (a) A general description of the area which it is proposed to develop.
- (b) The original tracing and one print therefrom of the plan of the development.
- (c) The names, addresses and signatures of the owners of the area, and if demanded, an abstract of title with respect thereto.
- (d) A report on the necessity for making the subdivision, the feasibility of providing surface drainage; the proposed sewer; water mains and other services and the method proposed to finance the project.
- (e) The use and construction of all existing buildings erected on the ground.
- (f) The restrictions other than those contained in any Bylaw of the City, if any, which it is proposed to make in respect to the area or any part of the area included in the development.
- (g) A statement from the City Assessor or City Treasurer that all taxes upon the property proposed to be subdivided have been paid up to the end of the current year.

- (h) An application for the division or subdivision of individual lots does not need to comply with the requirements of subsections (b), (d), (e) and (f).

4. INFORMATION TO BE SHOWN ON THE DEVELOPMENT PLAN:

The Plan accompanying the application shall be drawn to scale of not less than [1 to 2,000 metres (200 feet to one inch)], the north point being plainly indicated thereon. It shall contain in its title the word "development" and shall: (Bylaw No. 56 of 1981)

- (a) Describe the location of the area affected, and any municipal boundaries thereabout.
- (b) Show the location and dimensions of all proposed streets, blocks, lanes, roadways, public reservations indicating the graded streets or roads if any.
- (c) Show the location and dimensions of all existing roadways, blocks, etc., together with the streets of adjoining registered subdivisions.
- (d) Show the names of the streets and the number of the blocks and indicate thereon the number and widths of the lots within each block.
- (e) Show any railway right-of-way, sewer or water mains, drain, ditch or easement affecting the land included within the plan.
- (f) Show drainage channels and creek beds, the contours of the normal water level and the high water level of all bodies of water and any buildings erected on the property.
- (g) Show contour lines of every difference of [1.524 metres (five feet)] in elevation of the land to be subdivided referred to mean sea level as established by the city datum. (Bylaw No. 56 of 1981)
- (h) Show the area it is proposed to subdivide outlined in red color, state the area in acres included therein and the area of any public reserves.
- (i) Bear the signature of the registered owner or owners of the land and the party or parties for whom the plan is being made, the number and date of the original plan and if required, the signature of a Saskatchewan Land Surveyor, and/or a qualified town planner.
- (j) Indicate by dimensions, properly tied to the lot boundaries any proposed building lines.
- (k) Show contours at [1.524 metres (five foot)] intervals and by broken black lines a proposed street plan for an area exterior to and within [152.4 metres (500 feet)] of the boundaries of the area it is proposed to subdivide. (Bylaw No. 56 of 1981)

- (l) In the case where a single parcel of land or the portion of a registered plan is to be registered by a descriptive transfer, the signature of a Saskatchewan Land Surveyor or a qualified town planner shall not be required, and the provisions of subsections (a) to (k) inclusive may be disregarded.

5. FEES:

~~Every application submitted shall be accompanied by an approval fee [of twenty five cents (25¢) for each and every parcel included, exclusive of streets, lanes or other public reserve. The minimum approval fee for an application shall be five dollars (\$5.00), except where the application is for the division or subdivision of an individual lot, in which case the minimum fee shall be three dollars (\$3.00). of fifty cents (50¢) for each and every parcel included, exclusive of streets, lanes or other public reserves. The minimum approval fee for each application shall be ten dollars (\$10.00), except where the application is for the division or subdivision of an individual lot, in which case the minimum fee shall be six dollars (\$6.00). (Bylaw No. 33 of 1977)]~~

~~In case the owner withdraws the application before it has been approved or in case the application is refused, the fee paid over and above the minimum required shall be repaid to the applicant.~~

~~[Every application submitted shall be accompanied by an application fee of \$100.00 plus a fee of \$100.00 for each additional new lot created. (Bylaw No. 53 of 2001)]~~

6. PROCEDURE ON RECEIPT OF APPLICATION:

- (a) Upon receipt of an application for the approval of a plan of new development together with the plan and documents as required by Regulations No. 2 and No. 3, the City Clerk shall refer the same to the City Council.
- (b) The City Clerk shall notify the owner or party making the application of the time and place of meeting of the Council at which the application will be considered.
- (c) An application for approval of a development plan shall be approved or rejected within thirty days.
- (d) An application for the division or subdivision of an individual lot may be approved by the City Commissioner, without reference to the City Council.

7. CONSIDERATION OF COUNCIL:

- (a) No application shall be approved except upon the report of the City Commissioner stating that the application is in accordance with Regulation No. 4.

- (b) Before approving a development plan the Council shall be satisfied by the information submitted, and, if deemed advisable, by an inspection of the ground at an appropriate season that the land affected by the plan is suitable for the purpose of the proposed developments, that each lot is accessible and has a dry building site and that any surface water which may accumulate on the lots or streets can be drained therefrom at a reasonable cost.
- (c) The City Council may also, before granting approval of a development plan, obtain a written report from the Community Planning Commission and any other public authority affected by the plan.
- (d) The Council may refuse to approve a development plan or may require changes in the plan when the whole or any portion of the area affected is not suitable for building purposes in its natural condition, or the plan of the streets is not adapted to the nature of the ground or is not in the best interest of the community, or the development plan has not been prepared or submitted in accordance with these regulations.
- (e) If the Council requires any modification or modifications of the plan as submitted the City Clerk shall return to the applicant the plan of development with a statement of the modifications or modification so required.

8. FORM OF APPROVAL:

When the plan or amended plan, together with sections and particulars, has been approved by the Council, the signature of the City Clerk shall be endorsed thereon under the words "Approved under the Provisions of Bylaw No. 37 of 1960 of the City of Prince Albert" together with the date and the seal of the City.

GENERAL PROVISIONS RELATING TO THE LAYOUT OF THE LAND

9. SUITABILITY:

All land to be subdivided and the subdivision thereof shall be eminently suitable having regard to:

- (a) the topography and physical condition of the land;
- (b) the nature of the soil;
- (c) the surface drainage;
- (d) the danger of flooding, subsidence and erosion;
- (e) the use or proposed use of the land and the use of the land in the immediate vicinity;

- (f) the economical use of the land with respect to the proportion to be devoted to streets and lanes;
- (g) the segregation of traffic flow as between main and major roads and streets and minor or residential streets;
- (h) the economical provision of utilities and services;
- (i) the convenience of access;
- (j) the protection of provincial highways and municipal main roads;
- (k) the shape and size of each lot or parcel;
- (l) the desirability of the view or aspect of each lot or parcel;
- (m) the relationship between the entire subdivision and future development proposals for the City of Prince Albert.

10. EXCESSIVE SUBDIVISION:

No land shall be subdivided unless, within two years, in the opinion of City Council, it may reasonably be expected to be used for the purpose for which it is proposed to be subdivided.

11. ACCESS:

Every subdivision without exception shall have access provided thereto by a street.

12. PUBLIC RESERVE:

- (a) Every plan of subdivision shall make provision for the dedication to the public use other than streets or lanes of a certain percentage of the land to be subdivided in terms of the "Regulations Controlling the Subdivision of Land" issued under the *Community Planning Act*.
- (b) The location and suitability of all public reserves shall be to the satisfaction of the Director of Community Planning, Department of Municipal Affairs, Regina.
- (c) The land so provided shall be designated "Public Reserve R" or "Public Reserve R1" and so on as the case may be, and the area thereof in acres shall be shown. In general, public reserves shall not be located in close proximity to a railway right-of-way or station grounds.

13. STREETS:

- (a) Locations – All streets shall be located with due regard to topography and traffic requirements and notwithstanding the following section shall comply with requirements of the overall street pattern.
- (b) Widths – Streets shall be at least **[20.1168 metres (66 feet)]** in width, depending upon the prospective traffic requirements and, where the subdivision abuts a provincial highway, or is a parkway, or City main road or collector street as shown on an overall plan, provision for widening of such Provincial Highway, parkway, City main road or collector street shall be as follows: **(Bylaw No. 56 of 1981)**
 - (1) Provincial highways or approach routes–
an increase in width shall be made to a minimum of **[45.72 metres (150 feet)]** overall; **(Bylaw No. 56 of 1981)**
 - (2) Parkway –
An increase in width shall be made to a minimum of **[45.72 metres (150 feet)]** overall. Land required for widening shall be vested in the Crown. **(Bylaw No. 56 of 1981)**
 - (3) City Main Roads –
An increase in width shall be made to a minimum of **[30.48 metres (100 feet)]** overall. **(Bylaw No. 56 of 1981)**
 - (4) Collector Streets–
An increase in width shall be made to a minimum of **[24.384 metres (80 feet)]** overall. **(Bylaw No. 56 of 1981)**

Minor Streets which cannot be produced beyond **[457.2 metres (1,500 feet)]** may be **[15.24 metres (50 feet)]** in width. **(Bylaw No. 56 of 1981)**
- (c) Cul-de-sacs – Cul-de-sacs or streets **[15.24 metres (50 feet)]** in width with a turning radius of **[15.24 metres (50 feet)]** at the end and an overall length of not more than **[121.92 metres (400 feet)]** may be used where deemed feasible by the City Council. **(Bylaw No. 56 of 1981)**
- (d) Service Streets – Where the City Council considers that a service street is required, **[12.192 metres (40 feet)]** shall be provided for street purposes in addition to the requirements of subsection (b). **(Bylaw No. 56 of 1981)**
- (e) Continuity:
 - (1) Streets shall be continuous or connect with an intersecting street but main roads shall be without jog or offset.

- (2) Streets shall intersect as nearly as possible at right angles and the block corners at street intersections shall be cut off by an arc or chord of a circle to which both street lines are tangent and of which the chord length is at least [7.62 metres (25 feet)], in all cases where the angle enclosed at the block corner is less than 80 degrees. (Bylaw No. 56 of 1981)
- (3) Contiguous Streets with centre line offsets of less than [45.72 metres (150 feet)] shall not be allowed. (Bylaw No. 56 of 1981)
- (f) Gradients:
 - (1) the maximum gradient for main streets shall be five percent, and for secondary and minor streets seven percent.
 - (2) All streets shall be so laid out that they may be constructed without a cut or fill exceeding [1.524 metres (five feet)] except that crossings over streams and railways or other streets or roads shall not be subject to this requirement. (Bylaw No. 56 of 1981)
- (g) Railway Crossings – Where a proposed street crosses a railway right-of-way or station grounds, the owner of the subdivision shall obtain an order of approval of the Board of Transport Commissioners.
- (h) Vesting (referred to by some as dedication) – All land reserved for streets and lanes when adjoining land to be subdivided shall be property vested in the Crown.
- (i) Naming – Every street shall be named or numbered, and shall conform with any existing system of naming or numbering.
- (j) Surveyed Road – Where there is no undue difficulty or expense incurred, the Council may request the inclusion on a plan of proposed subdivision of any abutting or adjacent roads, vested under the *Highways and Transportation Act*.

14. LANES:

- (a) Lanes, [6.096 metres (twenty feet)] in width and without jog, shall be laid out to provide access to the rear of every lot having a frontage of [19.812 metres (sixty-five feet)] or less. (Bylaw No. 56 of 1981)
- (b) The ends of every lane shall connect with a street, except that where one end of a lane is to be permanently closed turning space [3.252 square metres (thirty-five feet square)] or in diameter shall be provided at the closed end. (Bylaw No. 56 of 1981)

- (c) Intersecting lanes shall have the corner of such intersections cut off by posting back *[3.048 metres (ten feet)]* from the corner along the block boundaries and joining the two points with a straight line. *(Bylaw No. 56 of 1981)*
- (d) Provided that a subdivision may be approved where easements are provided in place of lanes.

15. BLOCKS:

- (a) Length
 - (1) In commercial areas the block lengths shall not be less than *[76.2 metres (250 feet)]* nor greater than *[152.4 metres (500 feet)]*. *(Bylaw No. 56 of 1981)*
 - (2) In residential areas the block lengths shall not be less than *[152.4 metres (500 feet)]* nor greater than *[365.76 metres (1,200 feet)]* unless required to be less by virtue of the topography or some other physical reason. *(Bylaw No. 56 of 1981)*
 - (3) Loop street blocks shall, in general, not have a length greater than *[228.6 metres (750 feet)]*. *(Bylaw No. 56 of 1981)*
- (b) Orientation – The long axis of blocks shall have, wherever possible, a bearing between 45 degrees west of north and 45 degrees east of north.
- (c) Shape – blocks in commercial areas shall be rectangular.
- (d) Parcels – Where land, adjoining or adjacent to property already subdivided into lots, is to be subdivided into acreage parcels, the boundaries thereof shall be placed along the side lines of the normal positions of streets. All such parcels, if otherwise suitable for subdivision, shall be so designed as to be capable of subdivision in accordance with these regulations.

16. LOTS:

- (a) Width, Depth and Area
 - ~~(1) [All lots intended for residential purposes shall have minimum widths and lot areas as set out in the respective governing sections of the City's Zoning Bylaw.]~~
 - ~~(2) All lots intended for business purposes shall have a minimum mean width of 25 feet. The minimum mean depth shall be 100 feet and the minimum lot areas shall be 2,500 square feet.~~

- (1) *All lots shall have a minimum frontage and area as required under the respective sections of the City's Zoning Bylaw governing the Zone in which the land to be subdivided is located, at the date of application for subdivision approval.*
 - (2) Through lots shall be avoided.
 - (3) The depth of a residential lot shall not exceed 3 times the frontage. The depth of a business lot shall not exceed 4 times the frontage. *(Bylaw No. 66 of 1968)]*
- (b) Side Lines – The side lines of all lots shall be, where possible, at right angles or radial to the street lines in the case of straight or curved streets respectively.

17. EASEMENTS:

- (1) An easement for the anchorage of any overhead utility shall only be provided along side or rear property lines.
- (2) Where blocks are subdivided without lanes, then suitable lateral easements shall be provided for access to all overhead utility poles which shall carry a transformer or similar equipment.

18. RESERVE STRIPS:

No reserve strip precluding access to a street shall be shown on any Plan.

19. RESTRICTIONS:

Land shall not be subdivided so as to prejudice future further subdivision of the land or the convenient subdivision of adjoining land.

20. REPLOTTING:

The provisions of the *Community Planning Act*, shall supersede these regulations in the case of any replotting scheme being prepared under the terms of the *Community Planning Act*.

21. POWERS OF CITY COUNCIL:

Subject to the provisions of the *Community Planning Act*, City Council may relieve, wholly or partially from compliance with any regulation herein contained, where in the opinion of the Council, compliance or strict compliance is impracticable or unreasonable; and may revoke or cancel approval where circumstances so necessitate.