

CITY OF PRINCE ALBERT

SPECIAL CITY COUNCIL MEETING

A G E N D A



THURSDAY,
OCTOBER 15, 2009

4:00 P.M.

COUNCIL CHAMBER
CITY HALL

Items that were not forwarded in the Agenda Package of October 13, 2009, are indicated with a symbol (▶) at the beginning of each number.

1. **CALL TO ORDER:**

Mayor J. Scarrow will call the meeting to Order.

2. **PRAYER:**

The City Clerk will offer the prayer.

3. **SUBMISSION OF PECUNIARY INTEREST:**

4. **APPROVAL OF AGENDA:**

"That the Agenda for this meeting be approved, as presented, and, that the presentations, delegations and speakers listed on the Agenda be heard when called forward by the Mayor."

5. PUBLIC HEARINGS & APPEALS:

Page No.

- 5.1 Report from Planner 1 dated September 17, 2009, with respect to **Development Permit Application – 247 River Street West. (RPT#EDP-09-186)**

1

Recommendation:

“That the Development Permit Application for a Retail Food Store - Fish and Seafood Wholesale located at 247 River Street West, legally described at Lot 15 – 17, Block 2, Plan C199, be approved; and, that the Director of Economic Development and Planning be authorized to execute the Development Permit on behalf of The City, subject to:

- 1. The Applicant obtaining a Building Permit, if any structural renovations are to occur;***
- 2. The Applicant obtaining required municipal fire and building safety inspections to ensure the Development meets necessary fire and building safety requirements; and,***
- 3. The Applicant obtaining a final Occupancy Permit, subject to compliance of the conditions of approval as follows:***
 - a. The Applicant obtaining a Sign Permit for any new signage from the Department of Economic Development and Planning;***
 - b. The Applicant ensuring no outdoor storage takes place on the property;***
 - c. The Applicant obtaining approval from the Public Works Department for the location of Garbage Storage and ensuring that this location complies with the regulation set forth under Section 17.5.16.1 of City Council’s Zoning Bylaw No. 1 of 1987, as amended;***
 - d. The Applicant obtaining a Business License from the Economic Development and Planning Department;***

- e. ***The Applicant submitting a Landscape Plan and Irrigation Plan in accordance with Sections 15.7 and 17.5.1.18 of City Council's Zoning Bylaw No. 1 of 1987, as amended, to the Community Services Department for approval;***
- f. ***The Applicant advising that the existing water service for this property at ½ inch in size will meet the needs of the proposed Retail Food use;***
- g. ***The Applicant advising that due to sight line issues associated with the railway crossing on River Street West, adjacent to the subject property to the East, on-street parking in front of the proposed Retail Food Store may be signed as No Parking in the future; and,***
- h. ***The Applicant ensuring that the minimum of three (3) parking stalls and one (1) loading stall are provided for on-site and that these stall meet the minimum parking/loading stall size requirements as established by City Council's Zoning Bylaw No. 1 of 1987, as amended."***

6. REPORTS OF ADMINISTRATION & COMMITTEES:

- 6.1 Report from Public Works Special Projects Manager dated October 14, 2009, with respect to **Fencing Extensions – Marquis Road Reservoir and 2nd Avenue West Reservoir - Tender No. 138A of 2009. (RPT#PW-09-84)** **10**

Recommendation:



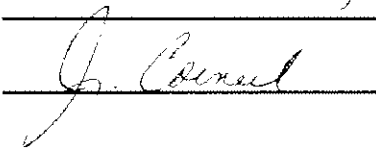
"That Tender No. 138A of 2009 - Fencing Extensions – Marquis Road Reservoir and 2nd Avenue West Reservoir be awarded to the low bidder Nordic Industries (1979) Ltd., in the amount of \$97,991.82 plus Goods and Service Tax."

7. ADJOURNMENT:



City of Prince Albert

REPORT APPROVAL FORM

Report Title:	Development Permit Application - 247 River Street West (EDP-09-186)	Date:	September 17, 2009
Prepared By:	Wes Holowachuk, Planner 1		
Prepared For:	City Council		
Approval Required By:		Report Type:	
		Routine <input checked="" type="checkbox"/> Substantive <input type="checkbox"/> Financial <input type="checkbox"/>	
City Manager	<input checked="" type="checkbox"/>		
Director of Financial Services	<input type="checkbox"/>		
Director of Public Works	<input checked="" type="checkbox"/>		
Director of Community Services	<input type="checkbox"/>		
Director of Ec.Dev & Planning	<input checked="" type="checkbox"/>		
Director of Fire & Emerg. Services	<input type="checkbox"/>		
Director of Corporate Services	<input type="checkbox"/>		
City Solicitor	<input type="checkbox"/>		
Chief of Police	<input type="checkbox"/>		

Report Type ~ Definitions:

Routine	Matters that are routine in nature and/or follow existing Council policy require Department Head approval only
Substantive	Matters that require the concurrence of more than one department and/or are complex in nature and require the approval of the City Manager prior to being provided to elected officials
Financial	Matters that have substantial or unusual financial implications require the approval of the Director of Financial Services



City of Prince Albert

REPORT

Report Title: Development Permit Application -
247 – River Street West (EDP-09-186)
Date: September 17, 2009
Prepared By: Wes Holowachuk, Planner 1
Prepared For: *City Council*

RECOMMENDATION:

That the Development Permit application for a Retail Food Store (Fish and Seafood Wholesale) at 247 River Street West, legally described as Lot 15-17, Block 2, Plan C199 be approved subject to:

1. The applicant shall obtain a Building Permit if any structural renovations are to occur.
2. The applicant shall obtain required municipal fire and building safety inspections to ensure the development meets necessary fire and building safety requirements. A final occupancy permit authorizing operation of a Retail Food Store at 247 River Street West will not be issued until the conditions of approval as follows are complied with:
 - a) The applicant shall obtain a Sign Permit for any new signage from the Department of Economic Development and Planning; and
 - b) The applicant shall ensure no outdoor storage takes place on the property; and
 - c) The applicant shall obtain approval from the Department of Public Works for the location of Garbage Storage and ensure that this location complies with the regulations set forth under Section 17.5.16.1 of the Zoning Bylaw No. 1 of 1987.
 - d) The applicant shall obtain a Business License from the Department of Economic Development and Planning.
 - e) The applicant shall submit a Landscape Plan and Irrigation Plan in accordance with Section 15.7 and Section 17.5.1.18 of the Zoning Bylaw No. 1 of 1987. These plans require approval from the Department of Community Services.
 - f) The applicant is advised that the existing water service for this property is ½ inch in size. It is the applicant's responsibility to ensure that this existing line size will meet the needs of the proposed Retail Food use.
 - g) The applicant is advised that due to sight line issues associated with the railway crossing on River Street West (adjacent to the subject property to the East) on-street parking in front of the proposed Retail Food Store may be signed as No Parking in the future.
 - h) The applicant shall ensure that minimum parking stalls (3) and minimum loading stalls (1) are provided for on-site and that these stalls meet the

minimum parking/loading stall size requirements as established by the Zoning Bylaw No. 1 of 1987.

JUSTIFICATION FOR INCAMERA:

N/A

BACKGROUND:

On September 14, 2009 the Department of Economic Development and Planning received a Development Permit application for Retail Food Sales (Fish and Seafood Wholesale) at 247 River Street West, legally described as Lots 15-17, Block 2, Plan C199. The land is zoned (C2) Service Commercial, in which Retail Food Sales are considered a discretionary use. According to section 3.8 of the Zoning Bylaw No. 1 of 1987, Council is the approving authority for all discretionary uses. The purpose of this report is to bring forward the application for Council's consideration and to recommend approval.

DISCUSSION:

The Department of Economic Development and Planning has completed an internal review of the development permit application for Retail Food Sales (Fish and Seafood Wholesale) and has assessed the proposed development against the appropriate provisions regulating such uses under the Zoning Bylaw No. 1 of 1987.

Through its review of the proposed developments compliance with the Zoning Bylaw administration has noted the following key issues:

Signage

The applicant has not provided any information regarding proposed signage and as such they must obtain a Sign Permit for any newly placed signage. This permit will ensure the proposed signage complies with the size and location regulations set forth in Section 32 of the Zoning Bylaw.

Outdoor Storage

In accordance with Section 17.5.1.16.3 of the Zoning Bylaw the applicant shall not be permitted to have outdoor storage on the property. As such administration is proposing that this section be referenced in the recommendation.

Landscaping

The applicant has not submitted a Landscape Plan at this time for consideration of the Department of Community Services. As such administration is recommending that the applicant be required to submit a Landscaping Plan in accordance with Section 6.19 of the Zoning Bylaw. This Landscaping Plan must indicate the number and type of trees/shrubs which exist and are proposed on the property to ensure minimum landscaping requirements are complied with. This Plan must also provide information regarding proposed irrigation of the landscaped areas to determine if a Landscaping Agreement between the applicant and the City of Prince Albert is required.

Garbage Storage/Collection

The applicant has not provided any information on the existing site plan regarding the location of garbage storage and access for garbage collection. As such administration has proposed in the recommendation that the applicant confirms the location of garbage storage with the Department of Public Works to ensure this location complies with the Garbage Bylaw and Section 17.5.1.16.1 of the Zoning Bylaw which states:

- 17.5.1.16.1 Garbage shall be screened from adjacent sites and public thoroughfares;
- 17.5.1.16.2 Garbage shall be in a location readily accessible for pickup;
- 17.5.1.16.3 Garbage shall be provided with a storage area sufficient for 3 days accumulation of refuse.

Parking

The applicant's site plan indicates 4-5 parking stalls and 1 loading stall will be provided for offstreet parking. Upon a site inspection of the property by administration determined that it is unlikely 4-5 stalls plus a loading stall can be provided in accordance with the minimum parking and loading stall size requirements as established in the Zoning Bylaw. However the Zoning Bylaw only requires one stall for every 46 square meters of gross floor space. As such the applicant is only required to provide 3 parking stalls and 1 loading stall. Administration feels the applicant has sufficient room to meet this requirement but that the applicant should be required to ensure the minimum stall sizes are being provided.

OPTIONS:

1. Approve the Development Permit Application;
2. Deny the Development Permit Application.

FINANCIAL IMPLICATIONS:

N/A

PUBLIC NOTICE/COMMUNICATIONS:

Section 55 of *The Planning and Development Act, 2007* provides direction for public notice of discretionary use applications:

- 55(1) A zoning bylaw shall prescribe the procedures for providing notice to the public of a discretionary use application.
 - (2) Unless a longer period is specified in the zoning bylaw, at least seven days before the application is to be considered by council, the notice mentioned in subsection (1) must be provided to:
 - (a) the assessed owners of property within 75 metres of the boundary with the applicant's land; and
 - (b) other owners of property required to be notified pursuant to the zoning bylaw.
 - (3) Subsection (2) does not apply if a council that has been declared an approving authority pursuant to subsection 13(1) has adopted notice procedures for discretionary uses in a public notice bylaw pursuant to section 24.

A notice has been served to each assessed landowner within 75-metres radius of the property in writing by ordinary mail at least seven (7) days prior to the date of consideration of the application by City Council.

Additionally, as per Section 3.8.1 of the City of Prince Albert Zoning Bylaw No. 1 of 1987, prior to an application being considered, City Council may recommend public notification of any discretionary use by any or all of the following methods:

1. Posting a sign in a conspicuous place on the site of the proposed development at least seven (7) days prior to the consideration of application by City Council;
2. Placing an ad in the local newspaper once a week at least seven (7) days prior to the consideration of application by City Council; and
3. Notifying all landowners within a 75-metre radius of the property in writing by ordinary mail at least five (5) days prior to the date of consideration of the application by City Council.

No additional Public Notice is required under the Public Notice Policy Bylaw 5 of 2003.

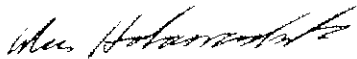
ATTACHMENTS:

1. Location Map;
2. Site Plan;
3. Letter sent to residents within 75 meter radius of the property;

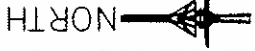
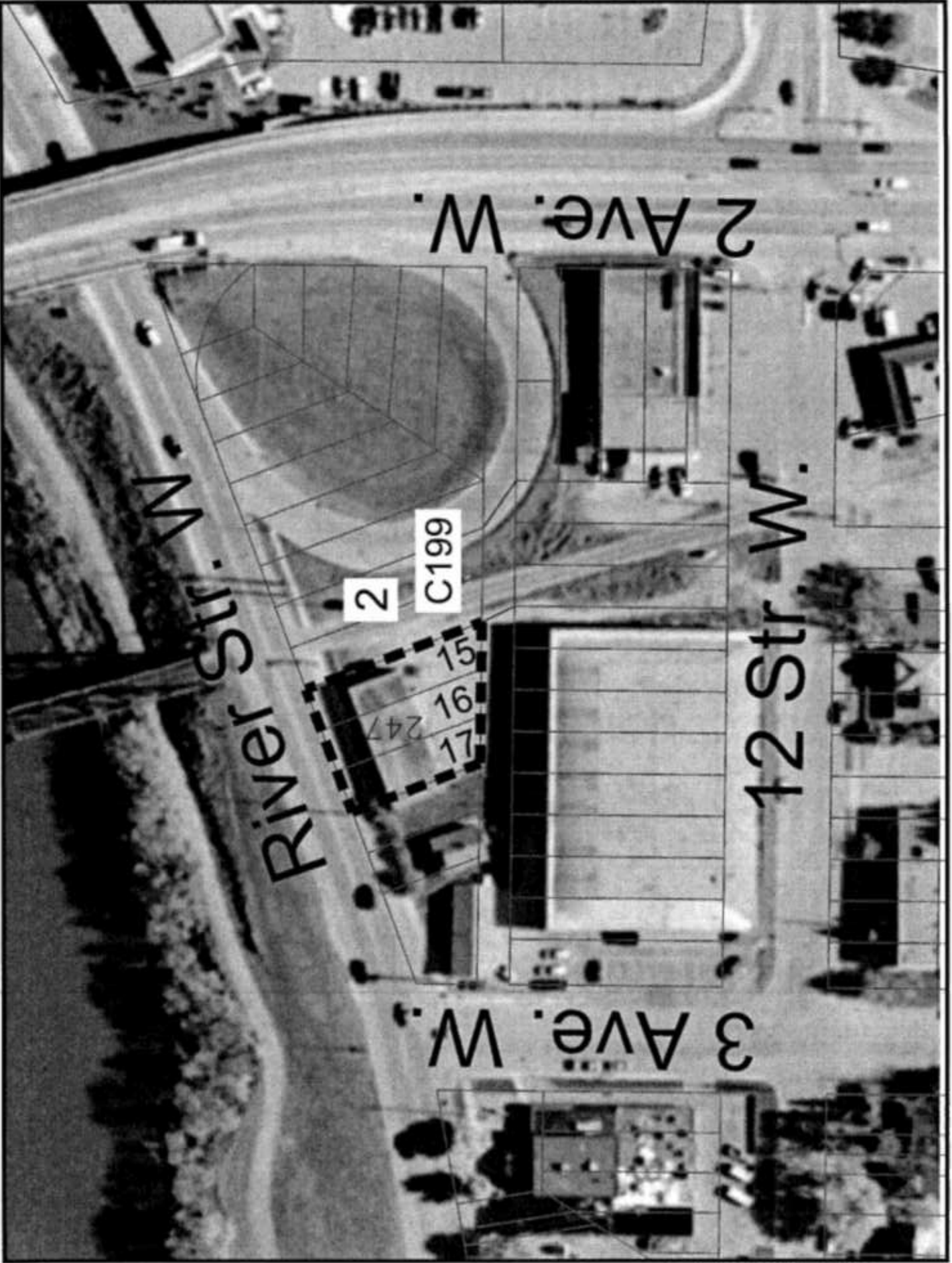
CONCLUSION:

The Department of Economic Development and Planning is in receipt of a Development Permit application for a Retail Food Store (Fish and Seafood Wholesale) at 247 River Street West, legally described as Lots 11-15, Block 2, Plan C197. The land is zoned (C2) Service Commercial, in which Retail Food Stores are considered a discretionary use. Administration recommends approval of the proposed development subject to conditions.

Respectfully Submitted,

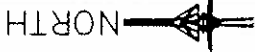


Wes Holowachuk, Planner 1



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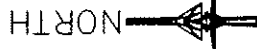
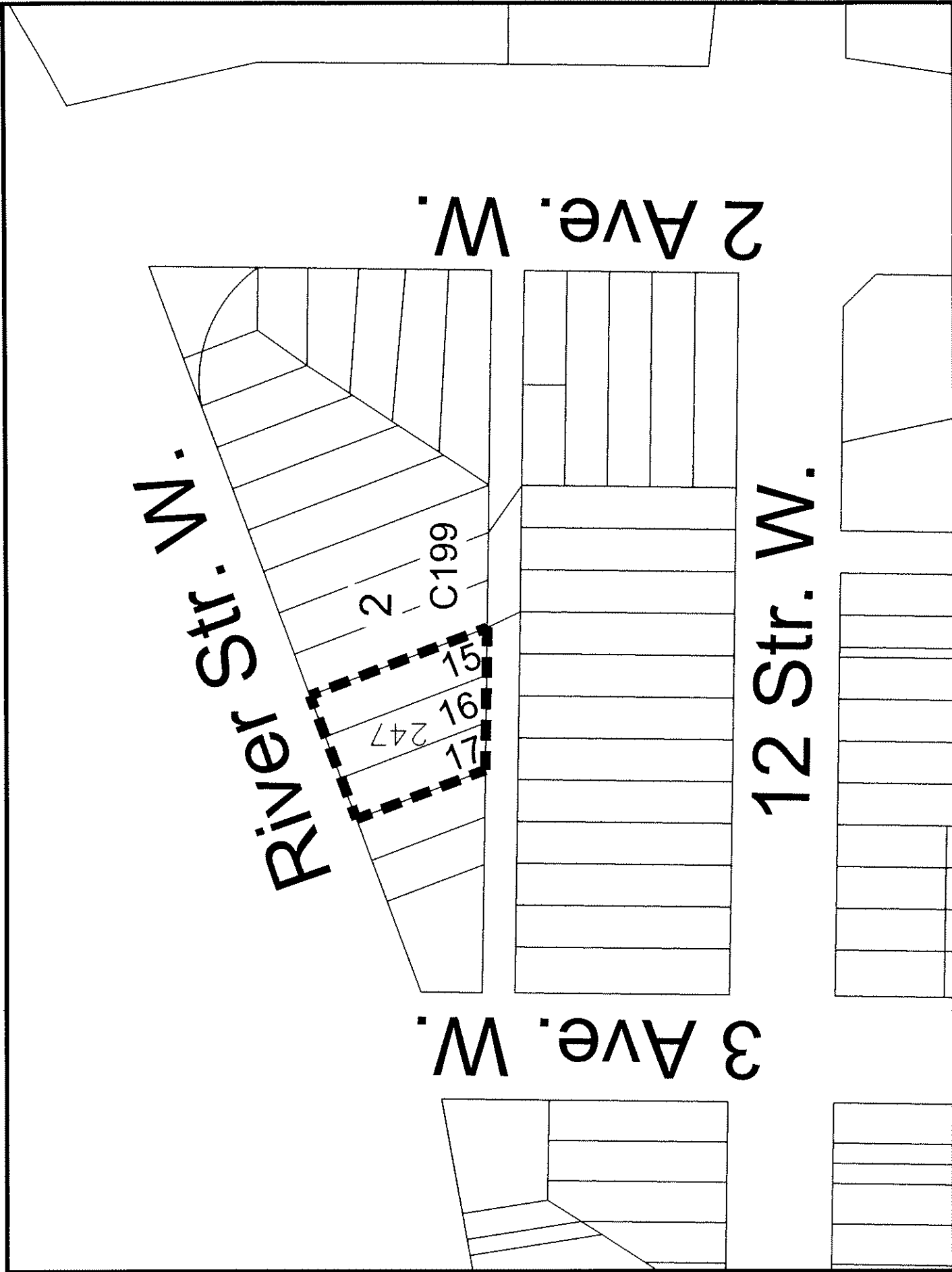
247 River St. W. 17/09/09 C.G.





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247 River St. W. 17/09/09 C.G.

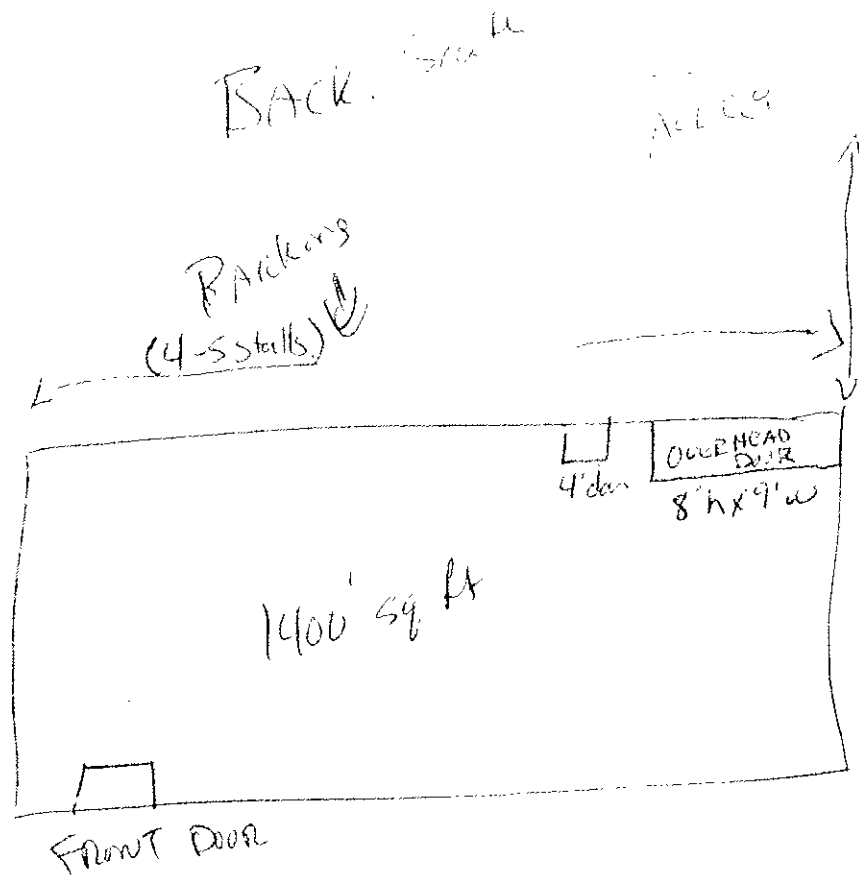


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ECONOMIC DEVELOPMENT & PLANNING

Lots 15 - 17, Block 2, Plan C199, Ext. 0

Subject Property outlined by a bold dashed line



247 RIVER ST. WEST



City of Prince Albert

ECONOMIC DEVELOPMENT & PLANNING DEPT.

PHONE: (306) 953-4370

FAX: (306) 953-4380

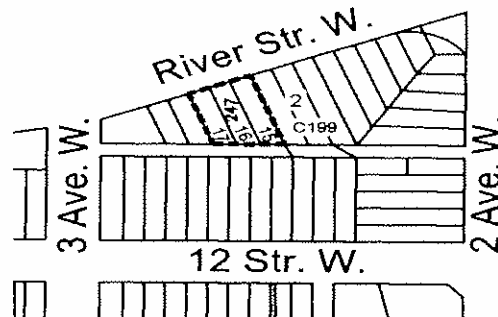
October 8, 2009

Dear Sir or Madam:

RE: Proposed Discretionary Use – Retail Food Sales – 247 River Street West

Please be advised this letter supersedes the letters sent to you dated September 17 and October 7, 2009 in regards to an application for a discretionary use at the above noted property. We apologize for the errors in these letters regarding Council's meeting date, in which they will consider this application, and any inconveniences this has caused.

The intention is to use the existing building located at 247 River Street West for Retail Food Sales, which will be considered at a City Council Meeting to be held on October 15, 2009. The subject property is shown in a bold dashed line below.



As a landowner in the area affected by this proposed development, The City is providing written notice of the proposed application as required under Section 55 of *The Planning and Development Act, 2007*.

City Council, at its meeting to be held on Thursday, October 15th at 4:00 p.m., will consider all submissions either orally or written respecting the above application. In accordance with City Council's Procedure Bylaw No. 10 of 2005, all written submissions must be signed and provided to the City Clerk. If you would like your written submission reviewed by members of Council prior to the meeting, you are required to provide your submission by 4:00 p.m. on Tuesday, October 13, 2009.

If you have any questions regarding this application, please do not hesitate to contact the Economic Development and Planning Department at 953-4371.

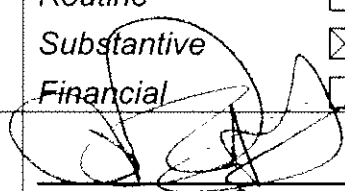
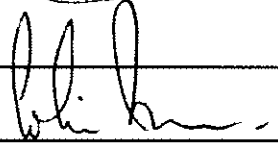
Yours truly,

Wes Holowachuk, Planner I



City of Prince Albert

REPORT APPROVAL FORM

Report Title:	Fencing Extensions - Marquis Road Reservoir & 2 nd Avenue West Reservoir Tender No. 138A/09 (RPT# PW-09-84)	Date:	October 14, 2009
Prepared By:	Rick Hanson, Public Works Special Projects Manager		
Prepared For:	City Council - <i>Special</i>		
Approval Required By:	Report Type: Routine <input type="checkbox"/> Substantive <input checked="" type="checkbox"/> Financial <input type="checkbox"/>		
City Manager	<input checked="" type="checkbox"/>		
Director of Financial Services	<input type="checkbox"/>		
Director of Public Works	<input checked="" type="checkbox"/>		
Director of Community Services	<input type="checkbox"/>		
Director of Ec.Dev & Planning	<input type="checkbox"/>		
Director of Fire & Emerg. Services	<input type="checkbox"/>		
Director of Corporate Services	<input type="checkbox"/>		
City Solicitor	<input type="checkbox"/>		
Chief of Police	<input type="checkbox"/>		
	<input type="checkbox"/>		

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City of Prince Albert
REPORT

Report Title: Fencing Extensions – Marquis Road Reservoir & 2nd Avenue West Reservoir Tender No. 138A/09 (RPT# PW-09-84)

Date: October 14, 2009

Prepared By: Rick Hanson, Public Works Special Projects Manager

Prepared For: City Council - *Special*

RECOMMENDATION:

"That the tender for the Fencing Extensions – Marquis Road Reservoir & 2nd Avenue West Reservoir be awarded to the lowest bidder, Nordic Industries (1979) Ltd., Saskatoon, SK, at the cost of \$97,991.82 plus GST."

JUSTIFICATION FOR INCAMERA: N/A

BACKGROUND:

The Waterworks System Assessment Report, March, 2006, identified the security of the waterworks reservoir facilities as an item to be upgraded.

The project work in general includes the following:

- Supply labour, equipment and material to extend the height of the existing chain link fence to a total height of 12 ft. above the ground, surrounding the City of Prince Albert's Marquis Road Reservoir, located at Central Avenue & 38th Street, and the 2nd Avenue West Reservoir, located at 23rd Street & 2nd Avenue West.

DISCUSSION:

The tender closed on October 13, 2009 at 2:30 p.m. with a total of two (2) bids received.

<u>Bidder</u>	<u>Total Bid Amount (plus GST)</u>
Nordic Industries (1979) Ltd. Saskatoon, SK	\$97,991.82
Madsen Fence Ltd. Prince Albert, SK	\$103,032.48

The tender submitted by the low bidder, Nordic Industries (1979) Ltd. was acceptable and is being recommended for approval.

OPTIONS:

1. Award the tender.

The City of Prince Albert would provide the security necessary for the protection of the reservoir's potable water storage sites. This work would address some of the findings and recommendations listed in the City of Prince Albert Waterworks System Assessment report dated March, 2006.

The project also supports the City's 2007 Strategic Plan strategy for Infrastructure.

2. Do not award the tender for this project.

The reservoir potable water storage sites would be at risk for vandalism and possible water contamination.

FINANCIAL IMPLICATIONS:

This project was identified and approved for Gas Tax – New Deal funding in 2009 with a budget of \$150,000. The Gas Tax – New Deal funding IP# is 0809-001385.

PUBLIC NOTICE/COMMUNICATIONS: N/A

STRATEGIC PLAN GOAL:

This project addresses the "Infrastructure" strategy of the City's 2007 Strategic Plan.


ATTACHMENTS:

Tender Tabulation dated October 13, 2009

CONCLUSION:

The City of Prince Albert's potable water storage reservoir's expected minimum remaining service life for the system components is based on the expectation that capital projects will be completed. This project supports this philosophy and will ensure that the City remains in good standing with its regulator.

Respectfully Submitted,


Rick Hanson, A.Sc.T.
Public Works Special Projects Manager

CITY OF PRINCE ALBERT PURCHASING DEPARTMENT



TENDER TABULATION



TENDER NO. 138A/09

PRODUCT SERVICE: FENCING EXTENSIONS - MARQUIS ROAD RESERVOIR & 2ND AVENUE WEST RESERVOIR

OPENED: 2:30 P.M., TUESDAY, OCTOBER 13, 2009

BIDDER	TOTAL
NORDIC INDUSTRIES (1979) LTD. 404 MELVILLE STREET SASKATOON, SK S7J 4M2	\$97,991.82
MADSEN FENCE LTD. R.R. # 5, SITE 16, BOX 92 PRINCE ALBERT, SK S6V 5R3	\$103,032.48

* GST IS EXTRA TO PRICES ABOVE