

CITY OF PRINCE ALBERT

COUNCIL AGENDA



MONDAY,
JULY 12, 2010

4:00 P.M.

COUNCIL CHAMBER
CITY HALL

The Public is hereby advised that at 2:30 p.m., Committee of the Whole Council Incamera will convene in a closed session Meeting, where the following confidential items will be considered:

- Land;
- Legal;
- Labour; and,
- Advice from Administration.

Following the Incamera session, Council will convene in a Special Council meeting at approximately 2:40 p.m. or later (public session) to ratify the Committee of the Whole Council's recommendations.

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 FORMS:

4. ADOPTION OF MINUTES:

Minutes of the Council Meeting held June 28, 2010, Special Council Meeting held June 28, 2010, and the Committee of the Whole Council Incamera Meeting held June 28, 2010, be taken as read and adopted.

5. APPROVAL OF AGENDA:

The Executive Committee having considered the items on the Executive Committee Agenda at its July 5, 2010 meeting, approved a motion to forward the Agenda, along with the noted amendments, to City Council for approval.

Approval of Agenda & Supplemental Package:

“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.”

6. NOTICE OF PROCLAMATIONS:

6.1 **DROWNING PREVENTION WEEK – JULY 18 - 25, 2010.**

7. PUBLIC HEARINGS & APPEALS:

The Mayor will invite anyone wishing to address City Council respecting each item for Public Hearing or Appeal to come forward and be heard as each item is presented.

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- 7.1 Report from Planner 1 dated June 21, 2010, with respect to **Development Permit Application and Subdivision Application – Animal Shelter – 1125 and 1151 North Industrial Drive. (RPT#EDP-10-93)**

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Recommendation:

“That the Development Permit Application for an Animal Shelter Development, including the development of a Boarding Kennel, and Dog Park at 1125 and 1151 North Industrial Drive, legally described as Lots 1 - 4, Block 5, Plan No. 75PA16890, 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 the following conditions:

- 1. The Applicant obtaining a Building Permit and required Municipal Fire/Building Safety Inspections to ensure the development meets necessary fire/building safety code requirements; and, that the Building Permit shall only be issued upon compliance with the following:***
 - a. Obtaining approval of a revised site plan from the Public Works Department, which provides parking lot and storm water catch basin elevations for the Phase 1 - Boarding Kennel and Phase 2 - Animal Shelter development sites to ensure parking lot drainage does not run onto adjacent road right of ways; and,***
 - b. Submitting a letter endorsed by a Site Design Engineer stating that the storm water runoff associated with Phase 1 - Boarding Kennel and Dog Park and Phase 2 - Animal Shelter will be entirely contained on site, and this letter shall include basic calculations providing evidence that the storm water can be contained on site;***

2. ***If The Applicant intends to install free standing signage they shall contact the Economic Development and Planning Department to determine if a sign permit is required;***
3. ***The Applicant providing the Public Works Department confirmation if the existing services located on Lots 2 and 3 of the subject property will be terminated, or if they are intended to be utilized in the future;***
4. ***The Applicant installing waste receptacles within the Dog Park, to ensure convenient collection of animal waste;***
5. ***The Applicant providing a vehicle access to the Dog Park for maintenance vehicles and equipment;***
6. ***The Applicant submitting a Landscape Plan to the Community Services Department for approval, which identifies the type and size of tree plantings on the Phase 1 - Boarding Kennel, excluding the Dog Park site, and Phase 2 - Animal Shelter development sites; and,***
7. ***That the Subdivision Application for the consolidation of four (4) lots into two (2), as shown on the proposed Plan of Subdivision, be approved; and, that the Director of Economic Development and Planning be authorized to execute the Subdivision Application on behalf of The City; and, that the Mayor and City Clerk be authorized to execute any necessary documents, on behalf of The City, subject to the following conditions:***
 - a. ***The Applicant submitting a final Plan of Survey for the consolidation; and,***
 - b. ***City Council approval of the location and size of the crossings, as identified on the Applicant's site plan dated June 16, 2010."***

- 7.2 Report from Assistant Director of Financial Services dated June 24, 2010, with respect to **Short-Term Borrowing. (BYLAW NO. 27 OF 2010) (RPT#FIN-10-37)** **148**

Recommendations:

1. ***That Bylaw No. 27 of 2010 be amended as follows:***

Insert:

“6. This Bylaw shall come into force and take effect on, from and after the final passing thereof.”

2. ***That Bylaw No. 27 of 2010, as amended, receive three (3) readings;***
3. ***That the Mayor and City Clerk be authorized to execute any necessary documents, on behalf of The City, once prepared; and,***
4. ***That consideration of Bylaw No. 27 of 2010, as amended, be laid on the table and brought up under the Order of Business “Introduction and Consideration of Bylaws”.***

8. PRESENTATIONS, DELEGATIONS & RELATED REPORTS:

The Mayor will invite individuals by name to come forward and be heard.

- 8.1 Correspondence from Ann Arcand dated June 25, 2010, along with the following, both **requesting that the On-Street Parking Area, across from Westview Community School on Macarthur Drive, be designated as a Residential No Parking Zone.** **2**

- Petition received June 25, 2010. **4**

Suggested Disposition: Refer to Public Works.

9. COMMUNICATIONS/PETITIONS PACKAGE:

The Communications/Petitions Package is a listing of all correspondence directed to the Mayor and City Council. The City Clerk has indicated the suggested disposition, however, any item can be removed and dealt with separately.

“That the Communications/Petitions Package Items be referred, as indicated.” (no vote at this point.)

Matters will be debated and referred.

“That the Communications/Petitions Package Items be referred, as indicated.”

- 9.1 Correspondence from General Manager, Prince Albert Exhibition Association, dated June 24, 2010, **requesting permission to utilize the showers in the Dave G. Steuart Arena during the Summer Fair.** **1**

Suggested Disposition: Refer to Community Services.

- 9.2 **Media Releases:**
 - a. **2nd Avenue West and 15th Street Traffic Restricted Sunday, June 27, 2010** dated June 25, 2010. **5**
 - b. **Asphalt Work on 10th Avenue West scheduled for Monday, June 28th** dated June 25, 2010. **6**
 - c. **Spray Parks Ready for Summer** dated June 28, 2010. **8**
 - d. **Cat Crisis at the Society for the Prevention of Cruelty to Animals Continues** dated June 28, 2010. **9**
 - e. **Watch for Road Closures July 1, 2010, for Canada Day Celebrations** dated June 30, 2010. **182**
 - f. **City Crews Respond to Major Storm** dated July 2, 2010. **183**

- g. **Residents to Contact their Insurance Broker regarding Damage caused by Trees Falling on Private Property** dated July 5, 2010. **184**
- h. **Ball Diamonds closed due to Wet Weather** dated July 5, 2010. **185**
- i. **Northbound Traffic Restricted on 2nd Avenue West between 22nd and 28th Streets** dated July 6, 2010. **186**

Suggested Disposition: Receive as Information and File.

- 9.3 Media Release dated June 28, 2010, with respect to **Summer Playground Program set to begin.** **7**

Executive Committee Recommendation:

Refer to the Community Services Department, for a report on the need for a building or facility access for the various playground operations, to be considered by City Council's Budget Committee during its 2011 Budget deliberations.

- 9.4 Correspondence from Member of the Legislative Assembly, Prince Albert Northcote, Saskatchewan Legislative Assembly, dated June 30, 2010, **requesting permission to utilize the Council Chamber for a Caucus of the Official Opposition Meeting to be held on September 22, 2010.** **187**

Suggested Disposition: Refer to City Council for direction.

- 9.5 Correspondence from Chief Executive Officer, Prince Albert & District Chamber of Commerce, dated July 5, 2010, **requesting permission for a Community Event Permit, in conjunction with the Taste of Prince Albert 2010 Event, to be held in Kinsmen Park from July 26 - 29, 2010.** **188**

Suggested Disposition: Approval Recommended.

- 9.6 Correspondence from Chief Executive Officer, Prince Albert & District Chamber of Commerce, dated July 5, 2010, **requesting support and in-kind services for the Taste of Prince Albert 2010 Event, to be held in Kinsmen Park from July 26 - 29, 2010.** **189**

Suggested Disposition: Refer to Community Services.

Council will resolve into Committee of the Whole Council.

“That this Council resolve into Committee of the Whole to consider the Consent Agenda, Reports of Administration & Committees and Unfinished Business.”

The Deputy Mayor will assume the Chair.

10. CONSENT AGENDA:

The Consent Agenda is a listing of routine reports which are normally items for information purposes or matters for approval that are included in the current budgets.

- 10.1 Report from Municipal Service Centre Fleet Manager dated June 18, 2010, with respect to **Tender No. 98 of 2010 - Ice Resurfacer. (RPT#PW-10-62)** **10**

Recommendation:

“That Tender No. 98 of 2010 for the purchase of a Zamboni 525 Ice Resurfacer be awarded to FER-MARC Equipment Ltd., in the amount of \$99,940, plus applicable taxes.”

- 10.2 Report from Director of Fire and Emergency Services dated June 21, 2010, with respect to **2010 Fire Mentor Program Update. (RPT#FIRE-10-09)** **14**

Recommendation: Receive as Information and File.

- 10.3 Report from Chief Clerk dated June 29, 2010, with respect to **Account List No. 12 of 2010 in the amount of \$4,293,952.65. (RPT#FIN-CC-10-13)** **21**

Recommendation: Receive as Information and File.

- 10.4 Report from Development Appeals Board dated June 23, 2010, with respect to **Notice of Decision – Appeal No. 3 of 2010 – 1367 – 3rd Street East. (RPT#EDP-10-98)** **32**

Recommendation: Receive as Information and File.

“That the Consent Agenda and the recommendations contained therein be approved, as indicated.”

Removed Items from Consent Agenda:

Items removed from the Consent Agenda will be dealt with at the beginning of the Reports of Administration & Committees.

11. REPORTS OF ADMINISTRATION & COMMITTEES:

- 11.1 Report from City Manager dated June 23, 2010, with respect to **City of Prince Albert 2010 - 2012 Strategic Plan. (RPT#CM-10-22)** **40**

Recommendations:

- “1. That The City of Prince Albert 2010 – 2012 Strategic Plan dated June 21, 2010, be approved;***
- 2. That The City of Prince Albert 2010 – 2012 Strategic Plan dated June 21, 2010, be placed on The City’s website;***
- 3. That The City of Prince Albert 2010 – 2012 Strategic Work Plan for the identified actions and tasks be approved; and, that Administration forward updated Work Plans to City Council regarding status updates; and,***

4. ***That the City Manager and Department Directors be given the following broad terms of reference:***

Take action on assigned tasks subject to normal administrative, budgetary, and Council approvals.”

- 11.2 Report from Transportation Project Manager dated June 30, 2010, with respect to **Changing Traffic Patterns - 24th Street East and 25th Street East - Update. (RPT#PW-10-64)** **174**

Executive Committee Recommendations:

- “1. ***That a Four-Way Stop be installed at 25th Street and 3rd Avenue East; and,***
2. ***That a Four-Way Stop be installed at 24th Street and 5th Avenue East.”***

- 11.3 Report from Planner 1 dated June 22, 2010, with respect to **Zoning Bylaw Amendment – Night Clubs and Eating and/or Drinking Facility – Major – C4 Highway Commercial Zone. (BYLAW NO. 25 OF 2010 – 1st Reading) (RPT#EDP-10-85)** **94**

Public Hearing: August 9, 2010.

Recommendations:

- “1. ***That Bylaw No. 25 of 2010 be given first reading;***
2. ***That Administration be authorized to undertake Public Notification to hold a Public Hearing, in accordance with the provisions of Section 207 of The Planning and Development Act, 2007; and,***
3. ***That consideration of Bylaw No. 25 of 2010 be laid on the table and brought up under the Order of Business “Introduction and Consideration of Bylaws”.”***

- 11.4 Report from Planning Technician dated June 22, 2010, with respect to **Zoning Bylaw Amendment - A1 - Agricultural to R7 – Country Residential - Part of Parcel A, Plan No. BW2503, Extension 1. (BYLAW NO. 15 OF 2010) (RPT#EDP-10-95)** **106**

Recommendations:

- “1. That Bylaw No. 15 of 2010 be given second and third readings;***
- 2. That the Applicant enter into a Subdivision, Development and Servicing Agreement, with The City, acknowledging that the use of the land must comply with City Council’s Zoning Bylaw No. 1 of 1987, as amended;***
- 3. That the Mayor and City Clerk be authorized to execute the Subdivision, Development and Servicing Agreement and Restrictive Covenant Agreement, on behalf of The City, once prepared; and,***
- 4. That consideration of Bylaw No. 15 of 2010 be laid on the table and brought up under the Order of Business “Unfinished Business – Bylaws”.”***

- 11.5 Report from Planning Manager dated June 22, 2010, with respect to **City of Prince Albert Zoning Bylaw Review. (RPT#EDP-10-96)** **127**

Recommendation: Receive as Information and File.

- 11.6 Report from Chief Building Official dated June 22, 2010, with respect to **Amendment to Building Bylaw. (BYLAW NO. 26 OF 2010) (RPT#EDP-10-94)** **140**

Recommendations:

- “1. That Bylaw No. 26 of 2010 be given three (3) readings; and,***
- 2. That consideration of Bylaw No. 26 of 2010 be laid on the table and brought up under the Order of Business “Introduction and Consideration of Bylaws”.”***

- 11.7 Report from Executive Assistant dated June 1, 2010, with respect to **Parking Related Issues. (RPT#FIN-10-31)** **145**

Executive Committee Recommendation:

Refer back to the City Manager for direction and criteria for the key parking issues.

- 11.8 Report from Bylaw Manager dated June 22, 2010, with respect to **Disabled Person's/Fire Lane Parking on Private Parking Lots. (BYLAW NO. 24 OF 2010) (RPT#KH-10-01)** **154**

Recommendations:

"1. That Bylaw No. 24 of 2010 receive three (3) readings; and,

2. That consideration of Bylaw No. 24 of 2010 be laid on the table and brought up under the Order of Business "Introduction and Consideration of Bylaws"."

- 11.9 Report from Street Naming Advisory Committee dated June 28, 2010, along with the following, both with respect to **Developer Street Name Request. (RPT#EDP-10-99)** **167**

- Report from Planner 1 dated July 6, 2010. **190**
(RPT#EDP-10-105)

Executive Committee Recommendation:

"That the cul-de-sac, as identified on the Plan of Subdivision, attached to the Report from the Street Naming Advisory Committee dated June 28, 2010, be named "Brown Bay"."

- 11.10 Report from Planning Technician dated June 29, 2010, with respect to **Appeal No. 4 of 2010 – Former Prince Charles School Site. (RPT#EDP-10-102)** **202**

Recommendation: Receive as Information and File.

11.11 Report from Planner 1 dated June 30, 2010, along with the following, all with respect to Zoning Bylaw Amendment and Development Permit Application - Restaurant and Retail/Office Units - 2640 – 2nd Avenue West, 188 and 166 – 27th Street West. (BYLAW NO. 24 OF 2009) (RPT#EDP-10-103)	207
• Correspondence from Warren Nagy dated September 11, 2009.	225
• Correspondence from Maureen Lafond dated September 11, 2009.	226
• Correspondence from Vera Culy dated September 11, 2009.	227
• Correspondence from Darla Ethier dated September 11, 2009.	228
• Correspondence from Rudolph and Lena Mazurkewich dated September 11, 2009.	229
• Correspondence from Wendy Nicholson dated September 18, 2009.	223
• Correspondence from Larry Smytaniuk dated September 19, 2009.	222
• Correspondence from Teena Logodin dated September 21, 2009.	220
• Correspondence from Agent, Allied Realty, dated June 30, 2010.	230

Recommendation:

“That the Development Permit Application for a Restaurant and Retail/Office Units at 2640 – 2nd Avenue West, 188 and 166 - 27th Street West, legally described as Lots 12, 13 and 14, Block 3, Plan No. B668, 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. Approval of second and third readings of Bylaw No. 24 of 2009, to rezone 2640 – 2nd Avenue West,***

188 and 166 - 27th Street West, legally described as Lots 12, 13 and 14, Block 3, Plan B668 from R5 - Multiple Unit Dwelling to C4 – Highway Commercial zone;

- 2. The owner obtaining a Building Permit and required municipal fire/building safety inspections to ensure the development meets the necessary fire/building safety code requirements;**
- 3. The Applicant supplying and obtaining approval of a site grading plan and storm water drainage plan from the Public Works Department, and the grading plan shall indicate the required service location and size, including invert elevations of the sanitary and storm connections of the property;**
- 4. The Applicant providing a Buffer Strip consisting of suitable screening and fencing, to be installed and maintained by the owner in accordance with Section 4.14 of City Council's Zoning Bylaw No. 1 of 1987, as amended;**
- 5. The parking area being surfaced with asphalt or concrete and bounded by poured-in-place concrete curbing, and the parking spaces being clearly designated by painted lines, in accordance with Section 15.3 of City Council's Zoning Bylaw No. 1 of 1987, as amended;**
- 6. The Applicant providing a Landscape Plan and Irrigation Plan to be reviewed and approved by the Director of Community Services; and, that the Mayor and City Clerk be authorized to execute the Landscaping Agreement, on behalf of The City;**
- 7. The owner being advised that in accordance with Section 15.9 of City Council's Zoning Bylaw No. 1 of 1987, as amended, the design, character and appearance of a commercial building shall be compatible to the surrounding area;**
- 8. A Sign Permit being obtained, if the owner is proposing to erect any signage; and,**

9. ***That consideration of Bylaw No. 24 of 2009 be laid on the table and brought up under the Order of Business “Unfinished Business - Bylaws”.***

12. UNFINISHED BUSINESS:

Motion for Committee to rise and report (no seconder required):

“That this Committee rise and report.”

Chair will make the motion that the Report of Committee of the Whole be adopted (seconder required):

“That the Report of the Committee of the Whole be adopted.”

The Mayor will assume the Chair.

13. MAYOR & COUNCILLORS FORUM:

14. INQUIRIES:

15. INTRODUCTION & CONSIDERATION OF BYLAWS:

- | | | |
|------|--|-----|
| 15.1 | Bylaw No. 24 of 2010, to amend City Council’s Traffic Bylaw No. 16 of 2005, as amended, to provide for the regulation of Parking in a Disabled Person’s Parking Area and in Fire Lanes. (3 Readings) | 163 |
| 15.2 | Bylaw No. 25 of 2010, to amend City Council’s Zoning Bylaw No. 1 of 1987, as amended, to amend Subsection 19.2.2 – Permitted Uses for Night Clubs and Eating and/or Drinking Facility – Major in a C4 - Highway Commercial Zone. (1 st Reading) | 105 |

- 15.3 **Bylaw No. 26 of 2010, to amend City Council’s Building Bylaw No. 11 of 2003, as amended, to delete Section 11(4), with respect to Appeals for Refusal of a Building Permit. (3 Readings)** **144**

1st Reading:

“That Bylaw Nos. 24, 25, and 26 of 2010 be introduced and read a first time.”

2nd Reading:

“That Bylaw Nos. 24 and 26 of 2010 be now read a second time.”

Leave Granted:

“That leave be granted to read Bylaw Nos. 24 and 26 of 2010 a third time.”

3rd Reading:

“That Bylaw Nos. 24 and 26 of 2010 be read a third time and passed; and, that Bylaw Nos. 24 and 26 of 2010, be now adopted, sealed and signed by the Mayor and City Clerk.”

- 15.4 **Bylaw No. 27 of 2010, to provide for the Creation of Short-Term Borrowing to meet Current Cash Flow Operational Requirements. (Amendment and 3 Readings)** **151**

1st Reading:

“That Bylaw No. 27 of 2010, be introduced and read a first time.”

Amendment:

That Bylaw No. 27 of 2010 be amended, as follows:

Insert:

“6. This Bylaw shall come into force and take effect on, from and after the final passing thereof.”

2nd Reading:

“That Bylaw No. 27 of 2010, as amended, be now read a second time.”

Leave Granted:

“That leave be granted to read Bylaw No. 27 of 2010, as amended, a third time.”

3rd Reading:

“That Bylaw No. 27 of 2010, as amended, be read a third time and passed; and, that Bylaw No. 27 of 2010, as amended, be now adopted, sealed and signed by the Mayor and City Clerk.”

16. UNFINISHED BUSINESS - BYLAWS:

- 16.1 Bylaw No. 24 of 2009, to amend City Council’s Zoning Bylaw No. 1 of 1987, as amended, to rezone Lots 12, 13 and 14, Block 3, Plan B668, from R5 – Multiple Unit Dwelling to C4 – Highway Commercial. (2nd and 3rd Readings)

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- 16.2 **Bylaw No. 15 of 2010, to amend City Council's Zoning Bylaw No. 1 of 1987, as amended, to rezone Part of Parcel A, Plan BW2503, Extension 1, from A1 - Agricultural to R7 - Country Residential. (2nd and 3rd Readings)** 113

2nd Reading:

"That Bylaw No. 24 of 2009 and Bylaw No. 15 of 2010, be now read a second time."

3rd Reading:

"That Bylaw No. 24 of 2009 and Bylaw No. 15 of 2010, be read a third time and passed; and, that Bylaw No. 24 of 2009 and Bylaw No. 15 of 2010, be now adopted, sealed and signed by the Mayor and City Clerk."

17. **GIVING NOTICE:**
18. **MOTIONS:**
19. **ADJOURNMENT:**