

CITY OF PRINCE ALBERT

COUNCIL AGENDA



MONDAY,
AUGUST 9, 2010

4:00 P.M.

COUNCIL CHAMBER
CITY HALL

The Public is hereby advised that at 2:00 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 2:30 p.m. or later (public session) to ratify the Committee of the Whole Council's recommendations.

Items that were not forwarded in the Agenda Package of July 29, 2010, and Supplementary Agenda No. 1 of August 5, 2010, 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 FORMS:

4. ADOPTION OF MINUTES:

Minutes of the Council Meeting held July 12, 2010, Special Council Meetings held July 8 and 12, 2010, and the Committee of the Whole Council Incamera Meeting held July 12, 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 August 3, 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 **PRINCE ALBERT LITERACY DAY – SEPTEMBER 8, 2010.**

6.2 **MUSCULAR DYSTROPHY AWARENESS MONTH – SEPTEMBER, 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.

	Page No.
7.1 Report from Planner 1 dated July 5, 2010, along with the following, both with respect to Development Permit Application – Telecommunication Tower. (RPT#EDP-10-104)	83
<ul style="list-style-type: none"> • Correspondence from Planner 1 to Area Property Owners dated July 27, 2010. 	93

Recommendation:

“That the Development Permit Application for a Telecommunication Tower located on the land legally described as, a portion of Parcel C, Plan 83PA15238, 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 safety inspections to ensure the development meets necessary safety code requirements, and that the Building Permit shall only be issued upon compliance with the following:***
 - a. Providing the Economic Development and Planning Department a License of Approval from Industry Canada and NAV Canada;***
 - b. Providing the Economic Development and Planning Department a Letter of Consent from SaskPower;***
 - c. Providing The City’s Chief Building Official with a Certified Structural Engineers Report signed by a qualified and licensed Engineer that addresses the structural integrity and installation of the Tower;***

- d. Providing The City with a Certificate of Third Party Liability Insurance with a limit not less than two million (\$2,000,000) dollars for any risk and liability, as may be appropriate to the operation of the tower;*
- 2. Ensuring the Tower does not exceed forty-five (45) meters in height from the Airport Reference Elevation of four hundred twenty eight (428) meters above sea level;*
- 3. Installing a ten (10) foot fence or other anti-climbing device around the Tower; and,*
- 4. Installing tower lighting to meet the safety requirements, as established by NAV Canada, however, any additional site lighting shall be designed and installed in a manner that does not unduly interfere with nearby residential properties.*

In addition to the above conditions of approval, the Applicant must comply and be advised of the following:

- 1. Ensure that any ice accumulation on the tower will not create a safety hazard for the Pedestrian Walkway located West of the lease site; and,*
- 2. Ensure the Tower is grounded in a fashion that in the event of a lightning strike, nearby Municipal Services will not be electrified or grounded.”*

- 7.2 Report from Planner 1 dated July 8, 2010, along with the following, both with respect to **Development Permit Application – Personal Service Business – 247 River Street West. (RPT#EDP-10-106)** **94**
- Correspondence from Planner 1 to Area Property Owners dated July 27, 2010. **102**

Recommendation:

“That the Development Permit Application for a Personal Service Business – 247 River Street West, legally described as Lots 15 – 17, Block 2, Plan No. 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 the Applicant meeting the following conditions:

- 1. Obtaining municipal safety inspections to ensure the Development meets necessary safety code requirements; and,**
- 2. Obtaining a Business License prior to commencing operation.**

In addition to the above conditions of approval, the Applicant be advised of the following:

- 1. That due to the proximity of business location to the train tracks, located East of the property, no Parking Signs must be installed on River Street West, in front of the business to ensure sight lines will be maintained.”**

- 7.3 Report from Planning Technician dated July 21, 2010, along with the following, both with respect to **Development Permit Application – Addition to Residential Single Detached Dwelling – Adjacent to Little Red River Park. (RPT#EDP-10-109)** **103**
- Correspondence from Planner 1 to Area Property Owners dated July 27, 2010. **110**

Recommendation:

“That the Development Permit Application for an Addition to a Residential Single Detached Dwelling – Adjacent to Little Red River Park, legally described as Section 11, Township 49, West of the 2nd, Legal Subdivision 13, Extension 87, 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 and required Municipal Fire/Building Safety Inspections to ensure the Development meets necessary Fire/Building Safety Code requirements.”**

- 7.4 Report from Planner 1 dated July 26, 2010, along with the following, both with respect to **Development Permit Application – Canopy Addition – 365 – 36th Street West. (RPT#EDP-10-107)** **118**
- Correspondence from Planner 1 to Area Property Owners dated July 27, 2010. **127**

Recommendation:

“That the Development Permit Application for a Canopy Addition – 365 – 36th Street West, legally described as Parcel C, Plan No. 74PA08216 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 Municipal Safety Inspections to ensure the Development meets necessary safety code requirements.***

In addition to the above conditions, the Applicant be advised of the following:

That in the event the Applicant wishes to pave the gravel area of the subject property, abutting 4th Avenue West, a Grading and Storm Water Management Plan must be submitted to the Public Works Department for approval.”

- 7.5 Report from Planner 1 dated July 26, 2010, with respect to **Zoning Bylaw Amendment – Night Clubs and Eating and/or Drinking Facility – Major within the C4 – Highway Commercial Zone. (BYLAW NO. 25 OF 2010) (RPT#EDP-10-111)** **128**

Recommendations:

- “1. That Bylaw No. 25 of 2010 receive second and third readings; and,***
- 2. That consideration of Bylaw No. 25 of 2010 be laid on the table and brought up under the Order of Business “Unfinished Business – Bylaws”.”***

- 7.6 Report from Planner 1 dated July 27, 2010, along with the following, both with respect to **Development Permit Application – Eating and/or Drinking Facility – Minor – 1928 Central Avenue. (RPT#EDP-10-113)** **154**
- Public Notice dated July 31, 2010. **175**

Recommendation:

“That the Development Permit Application for an Eating and/or Drinking Facility – Minor – 1928 Central Avenue, legally described as Lots 49 – 51, Block 10, Plan E, Extension 87, 88 and 89, 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 completing all necessary health and Municipal Fire/Building Safety Inspections, to ensure the Development meets the necessary Health and Fire/Building Safety Code requirements;***
- 2. The Applicant applying for a separate Sign Permit for any changes to the signage;***
- 3. The parking requirement be waived to allow four (4) on-site parking spaces, as provided under Section 5.1.1.A of City Council’s Zoning Bylaw No. 1 of 1987, as amended; and,***
- 4. The Applicant providing the minimum number of parking spaces designated for the physically disabled, in accordance with Section 5.1.7 of City Council’s Zoning Bylaw No. 1 of 1987, as amended.”***

8. PRESENTATIONS, DELEGATIONS & RELATED REPORTS:

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

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| 8.1 | Correspondence from Territory Manager, Redhead Equipment Ltd., dated July 16, 2010, along with the following, all with respect to Tender No. 103 of 2010 – Two Wheel Loader. | 1 |
| | <ul style="list-style-type: none"> ● Report from Municipal Service Centre/Fleet Manager dated July 6, 2010. (RPT#PW-10-65) | 8 |
| | <ul style="list-style-type: none"> ● Correspondence from Inventory Manager, Moody's Equipment Ltd., dated July 27, 2010. | 15 |
| | <ul style="list-style-type: none"> ● Correspondence from Territory Manager, Redhead Equipment Ltd., dated August 4, 2010. | 176 |

Executive Committee Recommendations:

1. ***That Tender No. 103 of 2010 - Part A, three (3) cubic yard Front End Loader, be awarded to Moody's Equipment Ltd., for a New Holland W170 Wheel Loader in the amount of \$142,859, plus an extra five (5) cubic yard snow bucket in the amount of \$9,920, less the trade-in value of Unit No. 21, in the amount of \$25,000, for a net cost of \$127,779, plus applicable taxes; and,***

2. ***That Tender No. 103 of 2010 - Part B, two and one half (2.5) cubic yard Front End Loader, be awarded to Moody's Equipment Ltd., for a New Holland W-130 Wheel Loader in the amount of \$125,268, plus an extra five (5) cubic yard snow bucket in the amount of \$9,920, less the trade-in value of Unit No. 23, in the amount of \$25,220, for a net cost of \$109,968, plus applicable taxes.***

- 8.2 Report from Transportation Project Manager dated August 5, 2010, along with the following, both with respect to **Canada World Youth – Free Bus Pass Request and Access to City Facilities for the months of October, November and December, 2010 for Youth Leaders in Action Volunteers. (RPT#PW-10-73)** **192**
- Correspondence from Project Supervisor, Canada World Youth, dated July 5, 2010. **16**
 - ▶ Speaking Notes from Project Supervisor, Canada World Youth, dated August 7, 2010. **194**

Recommendation:

“That a formal Policy be developed with respect to the provision of free bus passes.”

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 President, Tenant’s Association, Northcote Manor, dated July 7, 2010, **requesting that three (3) Handicapped Parking Stalls be designated on the West side of 1st Avenue East in front of Northcote Manor and inquiring about the status of the request for six (6) Parking Stalls on 7th Street East.** **17**

Suggested Disposition: Refer to Public Works.

9.2	Correspondence from Denneil Carpenter dated July 16, 2010, expressing concerns regarding the Notice of Intention to Consider an Appeal of the Development Agreement for 550 – 8th Avenue East.	18
	<i>Executive Committee Recommendation: Receive as Information and File.</i>	
9.3	Media Releases:	
a.	Building Permit Numbers Increase dated July 8, 2010.	21
b.	Portion of South Industrial Drive Closed for Service Connection Installation dated July 8, 2010.	22
c.	Clean Up Effort Continue for City Crews dated July 9, 2010.	23
d.	Blue Bin Recycling Inspection Program dated July 12, 2010.	24
e.	KidzFest is Back with Fifi and the Flowertots dated July 15, 2010.	25
f.	Closure of 6th Avenue West between 22nd and 24th Streets dated July 15, 2010.	26
g.	South Industrial Drive Closed between Central and 4th Avenue East dated July 20, 2010.	27
h.	Passenger Facility Fee now at Prince Albert Airport dated July 21, 2010.	28
i.	New 4-Way Stops to be Installed at Intersections of 25th Street and 3rd Avenue East and 24th Street and 5th Avenue East dated July 21, 2010.	29
j.	2nd Avenue West and 15th Street Traffic Restricted Sunday, July 25, 2010 dated July 21, 2010.	30
k.	Province Approves City's Application for Disaster Assistance dated July 22, 2010.	31

l.	28th Street East Closed between McDonald Avenue and 10th Avenue East dated July 22, 2010.	32
m.	City Advises Residents to Prepare for 2nd Application of Street Oil dated July 23, 2010.	33
n.	Closure of 28th Street East between McDonald Avenue and 10th Avenue East Extended for Another Day dated July 27, 2010.	34
o.	Civic Services and Facilities Schedules During Saskatchewan Day Holiday dated July 28, 2010.	35
p.	28th Street East Closed between McDonald Avenue and 10th Avenue East for Paving dated August 3, 2010.	182
q.	Arts Centre Prepares for Fall and Winter Programs dated August 4, 2010.	183
r.	Ice Bookings Now Available for Art Hauser, Kinsmen and Dave G. Steuart Arenas dated August 4, 2010.	184
s.	City's Anti-Graffiti Paint Program Extended to September 3rd dated August 4, 2010.	185

Suggested Disposition: Receive as Information and File.

- 9.4 Correspondence from Teresa Anderson, 959630 Alberta Inc., dated July 29, 2010, **requesting that Penalties on Property Tax Payments be waived for various properties in the City.** **186**

Suggested Disposition: Refer to Financial 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 City Clerk dated July 26, 2010, with respect to **City Council and Committee of the Whole Council Incamera Meeting Times – Amendment to City Council’s Procedure Bylaw. (BYLAW NO. 28 OF 2010) (RPT#CORP-CLK-10-16)** **37**

Recommendations:

- “1. That Bylaw No. 28 of 2010 to amend City Council’s Procedure Bylaw No. 10 of 2005, as amended, to change the commencement time for City Council meetings and the day that Committee of the Whole Council Incamera meetings are held, be given three (3) readings and passed; and,***
- 2. That consideration of Bylaw No. 28 of 2010 be laid on the table and brought up under the Order of Business “Introduction and Consideration of Bylaws”.”***

- 10.2 Report from Director of Corporate Services dated July 13, 2010, with respect to **Communication Material – City Assessment Department. (RPT#CORP-CC-10-03)** **63**

Recommendation: Receive as information and file.

- 10.3 Report from Municipal Service Centre/Fleet Manager dated July 7, 2010, with respect to **Tender No. 105 of 2010 - Tandem Trucks. (RPT#PW-10-66)** **43**

Recommendation:

“That Tender No. 105 of 2010 for the purchase of two (2) Tandem Trucks with Gravel Box be awarded to Frontline Truck and Trailer for two (2) Freightliner M2–106 Tandem Trucks, complete with Gravel Box, for the amount of \$207,354, plus applicable taxes.”

- 10.4 Report from Operations Coordinator dated July 20, 2010, with respect to **2009 Proposed Local Improvement Work – 7th Street East from 5th to 6th Avenues. (RPT#PW-10-69)** **67**

Recommendation: Receive as information and file.

- 10.5 Report from Operations Coordinator dated July 20, 2010, with respect to **Utility Easement Agreement – South of 15th Street East from 6th to 10th Avenues. (RPT#PW-10-68)** **71**

Recommendations:

- “1. That the Easement Agreement between Saskatchewan Power Corporation and The City of Prince Albert for the property, legally described as Lot 6, Block/Parcel 102, Plan No. 101920047, Extension 1, be approved; and,***
- 2. That the Mayor and City Clerk be authorized to execute the Easement Agreement, on behalf of The City.”***

- 10.6 Report from Operations Coordinator dated July 26, 2010, with respect to **Tender No. 76 of 2010 – Sewer Cleaning and Infrastructure Video Inspection. (RPT#PW-10-71)** 47

Recommendations:

- “1. **That Tender No. 76 of 2010 for Sewer Cleaning & Infrastructure Inspection be awarded to ACME Sewer & Industrial Services, in the amount of \$159,081.02, plus Goods and Services Tax; and,**
- 2. **That the Mayor and City Clerk be authorized to execute the Agreement, on behalf of The City.”**

- 10.7 Report from Chief Clerk dated July 20, 2010, with respect to **Account List No. 13 of 2010 in the amount of \$9,624,482.20. (RPT#FIN-CC-10-14)** 51

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 Property Coordinator II dated July 14, 2010, along with the following, both with respect to **Lease of Land for Communications Tower – SaskTel. (RPT#EDP-10-108)** 75

- Addendum Report from Planner 1 dated August 4, 2010. **(RPT#EDP-10-114)** 187

Recommendations:

- “1. **That the request from SaskTel for the lease of a 2,070 square meter portion of Parcel C, Plan No. 83PA15238, for the purpose of constructing a**

Communications Tower be approved, subject to approval of a Development Permit Application for the tower and building; and,

- 2. That the Mayor and City Clerk be authorized to execute any necessary Agreements and plans to complete the lease, once prepared.”**

- 11.2 Report from Planning Technician dated July 23, 2010, with respect to **Subdivision Application – Blackwood Drive. (RPT#EDP-10-110)** **111**

Recommendations:

- “1. That the Subdivision Application for the lands, legally described as Lots 10, 11 and 12, Block 128, Plan No. 101948160, Extension 0, be approved; and,**
- 2. That the Mayor and City Clerk be authorized to execute the Plan of Survey and any related documents, subject to the following conditions:**
 - a. The Applicant submitting a final Plan of Survey.**
 - b. The Applicant entering into an Extension Agreement with The City.”**

- 11.3 Report from Planner 1 dated July 26, 2010, with respect to **Zoning Bylaw Amendment – A1 - Agricultural to R3 - Two Unit Dwelling, R5 - Multiple Unit Dwelling, R2 - Large Single Dwelling and P-Park – 701 – 28th Street West. (BYLAW NO. 23 OF 2010 – 1st Reading) (RPT#EDP-10-63)** **142**

Recommendations:

- “1. That Bylaw No. 23 of 2010 be given first reading;**
- 2. That Administration be authorized to postpone Public Notification for a Public Hearing until such a time that required Development Plans have been approved, and a Servicing Agreement has been entered into for the Applicants proposed Subdivision and Development Permit Application;**

- 3. ***That the Mayor and City Clerk be authorized to execute the Servicing Agreement, once prepared; and,***
- 4. ***That consideration of Bylaw No. 23 of 2010 be laid on the table and brought up under the Order of Business "Introduction and Consideration of Bylaws".***

11.4 Report from City Assessor dated July 26, 2010, with respect to **Tax Write Off – 3094 – 5th Avenue East. (RPT#FIN-10-40)** **161**

Recommendation:

"That the outstanding taxes, penalties and sundry charges for 3094 – 5th Avenue East, Roll No. 202000900, be classified as uncollectable and that Administration be instructed to write the taxes and accrued penalties and costs off the books."

11.5 Report from Development Appeals Board dated July 26, 2010, with respect to **Notice of Decision - Appeal No. 4 of 2010 – Former Prince Charles School Site. (RPT#EDP-10-112)** **166**

Recommendation: Receive as information and file.

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. 23 of 2010, a Bylaw of The City of Prince Albert to amend City Council’s Zoning Bylaw No. 1 of 1987, as amended, to rezone Parcel H, Plan No. 72PA00606 – 701 – 28th Street West from A1 – Agricultural to R3 – Two Unit Dwelling, R5 – Multiple Unit Dwelling, R2 – Large Single Dwelling and P-Park. (1st Reading) 152

15.2 Bylaw No. 28 of 2010, a Bylaw of The City of Prince Albert to amend City Council’s Procedure Bylaw No. 10 of 2005, as amended, to amend the commencement time for City Council meetings and the day that Committee of the Whole Council Incamera meetings are held. (3 Readings) 41

1st Reading:

“That Bylaw Nos. 23 and 28 of 2010 be introduced and read a first time.”

2nd Reading:

“That Bylaw No. 28 of 2010 be now read a second time.”

Leave Granted:

“That leave be granted to read Bylaw No. 28 of 2010 a third time.”

3rd Reading:

“That Bylaw No. 28 of 2010 be read a third time and passed; and, that Bylaw No. 28 of 2010, be now adopted, sealed and signed by the Mayor and City Clerk.”

16. UNFINISHED BUSINESS - BYLAWS:

- 16.1 Bylaw No. 25 of 2010, a Bylaw of The City of Prince Albert 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. (2nd and 3rd Reading) 141

2nd Reading:

“That Bylaw No. 25 of 2010, be now read a second time.”

3rd Reading:

“That Bylaw No. 25 of 2010, be read a third time and passed; and, that Bylaw No. 25 of 2010, be now adopted, sealed and signed by the Mayor and City Clerk.”

17. GIVING NOTICE:

18. MOTIONS:

19. ADJOURNMENT: