

# CITY OF PRINCE ALBERT

## SPECIAL CITY COUNCIL MEETING

### A G E N D A



**MONDAY,**  
**OCTOBER 18, 2010**

**4:00 P.M**

**COUNCIL CHAMBER**  
**CITY HALL**

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."*

**5. PUBLIC HEARINGS & APPEALS:**

**Page No.**

- 5.1 Report from Planner 1 dated September 23, 2010, along with the following, all with respect to **Zoning Bylaw Amendment, Subdivision Application and Development Permit Application - Planned Group of Dwellings – 701 – 28<sup>th</sup> Street West - A1 – Agricultural to R3 – Two Unit Dwelling, R5 – Multiple Unit Dwelling, R2 – Large Single Dwelling and P – Park. (BYLAW NO. 23 OF 2010) (RPT#EDP-10-147)** 1
- Public Notice dated October 2, 2010. 16
- Public Notice dated October 9, 2010. 17

***Recommendations:***

- “1. That Bylaw No. 23 of 2010, to rezone lands, legally described as Parcel H, Plan No. 72PA00606 and Part of Parcel J, Plan No. 72PA00606 receive second and third reading;***
- 2. That the Subdivision Application for Parcel H, Plan No. 72PA00606, identified as Phase 1, as shown on the proposed Plan of Subdivision/Phasing Plan, as attached to the Report from the Planner 1 dated September 23, 2010 be approved; and, that the Director of Economic Development and Planning be authorized to execute same on behalf of The City;***
- 3. That the Mayor and City Clerk be authorized to execute the Plan of Survey, on behalf of The City, once prepared;***
- 4. That the Applicant enters into a Subdivision, Development and Servicing Agreement with The City; and, that the Mayor and City Clerk be authorized to execute the Agreement, on behalf of The City, once prepared;***
- 5. That the 10% Municipal Reserve requirements be deferred until the Applicant applies for Subdivision approval for Phase two (2) of the development;***

6. ***That the Mayor and City Clerk be authorized to execute the final surveyed Condominium Plan, and all related documents that are required for registration at Information Services Corporation, including Form GG;***
  
7. ***That the Development Permit Application for a Planned Group of Dwellings, on a portion of the lands, legally described as Parcel H, Plan No. 72PA00606, and as identified as Parcel A on the Concept Plan, as attached to the Report from the Planner 1 dated September 23, 2010, 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:***
  - a. ***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 prior to issuance of the Building Permit shall comply with the following:***
    - i. ***Entering into a Development and Servicing Agreement with The City of Prince Albert;***
  
    - ii. ***Registering the final Plan of Survey and raised title to each newly created parcel;***
  
    - iii. ***Servicing the property to each newly created lot in accordance with the terms and conditions set forth in the Development and Servicing Agreement;***
  
    - iv. ***Submitting a Landscape Plan identifying size, type, location of all plantings, location and method of irrigation, signage, fencing, entrance gate, method of accessibility to the pedestrian trail system and any site features, which shall be approved by the Director of Community Services;***

- v. ***Submitting a servicing drawing identifying the location and size of water, storm water, and sewer services, which drawing shall include geodetic elevations, and dimensions to property line, and shall be approved by the Director of Public Works;***
  - vi. ***Submitting a Site Grading Plan and Storm Water Management Plan, which identifies how all storm water will be collected on site, which Plan shall be approved by the Director of Public Works;***
  - vii. ***Submitting a Crossing Plan, which identifies the location and size of the proposed crossing into Parcel A, as identified on the Concept Plan, and shall include dimensions to property line, and curbing details, which shall be approved by the Director of Public Works; and,***
  - viii. ***Submitting a revised Site Plan, which identifies the inclusion of private amenity space for each dwelling unit, area and location of communal open space, and location of visitor and physically disabled parking stalls; and,***
8. ***That consideration of Bylaw No. 23 of 2010 be laid on the table and brought up under the Order of Business “Unfinished Business – Bylaws”.***

**6. UNFINISHED BUSINESS - BYLAWS:**

- 6.1 **Bylaw No. 23 of 2010, a Bylaw to amend City Council’s Zoning Bylaw No. 1 of 1987, as amended, to rezone Parcel H, Plan No. 72PA00606 from A1 – Agricultural to R3 – Two Unit Dwelling, R5 – Multiple Unit Dwelling, R2 – Large Single Dwelling and P – Park. 14**

*2<sup>nd</sup> Reading:*

***“That Bylaw No. 23 of 2010, be now read a second time.”***

*3<sup>rd</sup> Reading:*


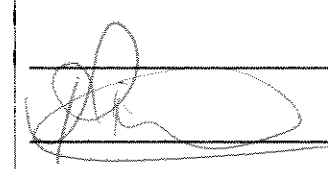
***“That Bylaw No. 23 of 2010, be read a third time and passed; and, that Bylaw No. 23 of 2010, be now adopted, sealed and signed by the Mayor and City Clerk.”***

**7. ADJOURNMENT:**



# City of Prince Albert

## REPORT APPROVAL FORM

<b>Report Title:</b>	Bylaw 23 of 2010 - Zoning Bylaw Amendment from A1-Agricultural to R3: Two Unit Dwelling, R5: Multiple Unit Dwelling, R2: Large Single Dwelling, and P: Park; Subdivision Application and Development Permit Application for a Planned Group of Dwellings (EDP-10-147)	<b>Date:</b>	September 23, 2010
<b>Prepared By:</b>	Wes Holowachuk - Planner 1		
<b>Prepared For:</b>	City Council		
<b>Approval Required By:</b>		<b>Report Type:</b>	
		<i>Routine</i> <input checked="" type="checkbox"/> <i>Substantive</i> <input type="checkbox"/> <i>Financial</i> <input type="checkbox"/>	
<b>City Manager</b>	<input checked="" type="checkbox"/>		
<b>Director of Financial Services</b>	<input type="checkbox"/>	_____	
<b>Director of Public Works</b>	<input type="checkbox"/>	_____	
<b>Director of Community Services</b>	<input type="checkbox"/>	_____	
<b>Director of Ec.Dev &amp; Planning</b>	<input checked="" type="checkbox"/>		
<b>Director of Fire &amp; Emerg. Services</b>	<input type="checkbox"/>	_____	
<b>Director of Corporate Services</b>	<input type="checkbox"/>	_____	
<b>City Solicitor</b>	<input type="checkbox"/>	_____	
<b>Chief of Police</b>	<input type="checkbox"/>	_____	
	<input type="checkbox"/>	_____	

**Report Type ~ Definitions:**



# City of Prince Albert

## REPORT

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**Report Title:** Bylaw 23 of 2010 - Zoning Bylaw Amendment from A1-Agricultural to R3: Two Unit Dwelling, R5: Multiple Unit Dwelling, R2: Large Single Dwelling, and P: Park; Subdivision Application and Development Permit Application for a Planned Group of Dwellings (EDP-10-147)

**Date:** September 23, 2010

**Prepared By:** Wes Holowachuk, Planner 1

**Prepared For:** City Council

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### RECOMMENDATION:

1. That City Council gives second and third reading to Bylaw No. 23 of 2010 to rezone the Lands legally described as:

Parcel H, Plan 72PA00606; and  
Part of Parcel J, Plan 72PA00606

from (A1) Agricultural to (R3) Two Unit Dwelling, (R5) Multiple Unit Dwelling, (R2) Large Single Dwelling and (P) Park as shown on Schedule "A" of Bylaw No.23 of 2010;

2. That City Council approves the Subdivision Application for the lands legally described as:

Parcel H, Plan 72PA00606

As identified as Phase 1, and shown on the Proposed Plan of Subdivision / Phasing Plan, and authorizes the Director of Economic Development and Planning to execute the application on behalf of City Council; and

- 2.1 That the Mayor and City Clerk are authorized to execute the Submitted Plan of Survey on behalf of City Council; and
- 2.2 That the applicant enters into a Subdivision, Development and Servicing Agreement with the City, and that the Mayor and City Clerk are authorized to execute the agreement on behalf of City Council, once prepared; and
- 2.3 That City Council agrees to differ the 10% Municipal Reserve requirements until the applicant applies for subdivision approval for Phase 2 of development; and
- 2.4 That the Mayor and City Clerk be authorized to endorse the final surveyed Condominium Plan and all related documents that are required to have such registered at Information Services Corporation (ISC);

3. That the Development Permit application for a Planned Group of Dwellings on a portion of the lands legally described as Parcel H, Plan 72PA00606 and as identified as Parcel A on the Concept Plan, be approved subject to:
  - 3.1 The applicant shall obtain a Building Permit and required municipal fire / building safety inspections to ensure the development meets necessary fire / building safety code requirements. Prior to issuance of a Building Permit the applicant shall comply with the following:
    - 3.1.1 The applicant shall enter into a Development and Servicing Agreement with the City; and
    - 3.1.2 The applicant shall have registered the final Plan of Survey and raised title to each newly created parcel; and
    - 3.1.3 The applicant shall have serviced the property to each newly created lot in accordance with the terms and conditions set forth in the Development and Servicing Agreement; and
    - 3.1.4 The applicant shall submit a Landscape Plan identifying size, type, location of all plantings, location and method of irrigation, signage, fencing, entrance gate, method of accessibility to the pedestrian trail system and any site features which shall be subject to the approval of the Director of Community Services; and
    - 3.1.5 The applicant shall submit a servicing drawing identifying the location and size of water, storm water, and sewer services. This drawing shall include geodetic elevations, and dimensions to property line and shall be subject to the approval of the Director of Public Works; and
    - 3.1.6 The applicant shall submit a site grading plan and storm water management plan which identifies how all storm water will be collected on site. This plan shall be subject to the approval of the Director of Public Works; and
    - 3.1.7 The applicant shall submit a crossing plan which identifies the location and size of the proposed crossing into Parcel A as identified on the Concept Plan which shall include dimensions to property line, and curbing details. This crossing plan shall be subject to the approval of the Director of Public Works; and
    - 3.1.8 The applicant shall submit a revised site plan which identifies the inclusion of private amenity space for each dwelling unit, area and location of communal open space, and location of visitor and physically disabled parking stalls.

**JUSTIFICATION FOR INCAMERA:**

N/A

**BACKGROUND:**

On April 17<sup>th</sup>, 2010 administration received an application for a Zoning Bylaw amendment to rezone 701 – 28<sup>th</sup> Street West, legally described as above, from (A1) Agricultural to (R5) Multiple Unit Dwelling, (R2) Large Single Dwelling, and (P) Park.

In conjunction with this rezoning application the applicant has submitted a subdivision application to subdivide out Parcel A (as shown on the attached Concept Plan) from the remainder of the Lands (Parcel H, Plan 72PA00606), and a development permit application to develop Parcel A, as shown on the attached development site plan, as a Planned Group of Dwellings. This development will consist of both single and semi detached dwellings.

On August 9<sup>th</sup>, 2010 City Council gave first reading to Bylaw 23 of 2010 subject to conditions. Of note condition number two of the resolution stated:

"That administration be authorized to postpone Public Notification for a Public Hearing until such a time that required Development Plan have been approved and a Servicing Agreement has been entered into for the Applicants proposed Subdivision and Development Permit application"

To date administration has not received the detailed level of site, servicing, grading, landscaping drawings required to finalize a Development and Servicing Agreement. The proposed conditions of approval for 2<sup>nd</sup> / 3<sup>rd</sup> reading of Bylaw 23 of 2010, Subdivision approval, and Development Permit approval reflect the outstanding plans and information required to finalize this agreement and ensure the proposed Planned Group of Dwellings meet the requirements of the Zoning Bylaw.

**DISCUSSION:**

The applicant is requesting to rezone 701 28<sup>th</sup> Street West, legally described as:  
Parcel H, Plan 72PA00606; and  
Part of Parcel J, Plan 72PA00606

From (A1) Agricultural to (R3) Two Unit Dwelling, (R5) Multiple Unit Dwelling, (R2) Large Single Dwelling, and (P) Park. This rezoning is intended to accommodate the proposed development of a Planned Group of Dwellings and future developments.

In assessing this application, administration has reviewed the West Hill Master Plan, 1999. In accordance with Drawing No.7 of this Plan, titled "Land Use Concept", the applicant's property has been identified for Multiple Family Residential and Single Family Residential land use. In addition this Plan has identified differing levels of priority areas for future development based on their accessibility to existing services, the feasibility of providing new servicing and the practical extension of infrastructure. The applicant's property lies within priority area 1, in which existing services can be utilized in the short term development of this property.

Consistent with the West Hill Master Plan the City of Prince Albert's Policy Plan Map 1A, titled "Future Land Use Concept Built – Up Area", the applicant's property is part of Phase 1a of future Residential Development. In addition administration feels the proposed rezoning is consistent with Section 3.1.7 of the Policy Plan which states:

### “3.1.7 Location of Medium and High Density Residential Development

#### Policy

Medium and high density residential development (walk-up apartments, high-rise apartments, and townhouse developments) shall be located in planned location in new residential neighbourhoods. Random and scattered medium and high density development in established residential neighbourhoods shall be discouraged except where it can be shown that such development shall be oriented to: locations adjacent to arterials and collectors, in selected locations near and within the Central Business District; adjacent to outlying shopping centers and community facilities adjacent to schools or any other location that meets the criteria of this policy.

#### Discussion

This policy will allow for more dense residential development in selected central areas and adjacent to arterials and collector streets without creating a substantial negative impact on existing predominantly single family neighbourhoods."

Although the internal road network and parcel layout has changed from the original "The Lakes" design, as identified in the West Hill Master Plan, the mixed land use concept with wet storm pond storage areas has remained. However continuing development proposals for the West Hill area increases the need to develop a new West Hill Master Plan. A new West Hill Master Plan is required to address changes to the storm water collection systems, the development of the Alfred Jenkins Field House and various residential development proposals to ensure the entire West Hill growth area is considered as a whole and that individual parcel developments do not impair the sustainable growth of this neighborhood.

Phase 1 of the applicant's phased development, as shown on the Phasing Plan, will consist of Parcel A and D (5.76 acres, zoned R3: Two Unit Residential Zone which is being proposed for condominium development of single and semidetached dwelling units) and fourteen single family dwelling lots zoned R2: Large Single Dwelling (identified as lots 1-6 and 64-71 on the Phasing Plan).

#### **KEY ISSUES:**

Although the applicants rezoning request is consistent with the intent of both the West Hill Master Plan and the Prince Albert Policy Plan, at this time further development plans (servicing plans, storm water management, grading plans, landscaping plans) are required to ensure the proposed subdivision and development meet the requirements of various City of Prince Albert bylaws and to finalize a Development and Servicing Agreement. The Development and Servicing Agreement will address the construction of municipal improvements to provide access (Lakeview Drive as identified on the Concept Plan) to the proposed Parcel A and the remainder of Phase 1 (including road construction specifications, curbing details, grading / boulevard requirements, lighting, hydrants, etc) and to provide

municipal services to the proposed Parcel A, Parcel D, and Single Family Dwelling lots from 28<sup>th</sup> Street West. The review of detailed development plans, execution of a servicing agreement, and compliance with conditions set forth in the servicing agreement will be required prior to the applicant obtaining final completion certificates and building permits.

In addition to the above, the Development and Servicing Agreement will identify development conditions that will need to be addressed upon the applicant applying for subdivision approval for Phase 2. The conditions will include addressing the exchange of City owned Municipal Reserve land (west of Buchanan Drive) for additional Municipal Reserve land within Phase 2 of the development (equivalent land size around the proposed stormpond in addition to minimum 10% Municipal Reserve lands required). This will also include provisions for extending walkways from Buchanan Drive to the newly created Municipal Reserve lands and the closure of 31<sup>st</sup> Street West.

Upon endorsement of a Development and Servicing agreement administration will proceed with a road closure bylaw to close that portion of the 7<sup>th</sup> Avenue West road right-of-way which extends along the applicants east property line from 28<sup>th</sup> Street West to 32<sup>nd</sup> Street West. It is intended to exchange this right-of-way to the applicant for the construction of municipal improvements within the subject property (roads, curbs/gutters, lighting, etc.).

**OPTIONS:**

1. That City Council gives 2<sup>nd</sup>/3<sup>rd</sup> reading to Bylaw No. 23 of 2010, approves the subdivision application and development permit application, or
2. That City Council gives 2<sup>nd</sup>/ 3<sup>rd</sup> reading to Bylaw No.23 of 2010 and tables further consideration of the subdivision and development permit application until a Development and Servicing Agreement has been entered into with the applicant; or
3. That City Council denies 2<sup>nd</sup> / 3<sup>rd</sup> reading of Bylaw No. 23 of 2010, and subsequently postpones any further consideration of the subdivision and development permit application until final readings to rezone the property has occurred and provides administration with further direction.

**FINANCIAL IMPLICATIONS:**

N/A

**PUBLIC NOTICE/COMMUNICATIONS:**

Pursuant to Section 207 of *The Planning and Development Act, 2007*, a council shall give notice of its intention to consider a zoning bylaw amendment after the first reading and before the second reading of the bylaw amendment. The notice of the public hearing shall be inserted at least once each week for two consecutive weeks in a newspaper circulating in the municipality. The first notice must be published at least two clear weeks before the date of the public hearing.

Pursuant to Section 209 of the *Planning an Development Act, 2007*, a council shall give written notice to each owner of the land that is subject of the proposed amendment.

Pursuant to Section 3.21.3 of the Zoning Bylaw No.1 of 1987, notice shall be served by ordinary mail to each landowner within 75 meters of the property to be rezoned within 7 days of Council considering Second reading.

Pursuant to Section 55 of *The Planning and Development Act, 2007*, and section 3.8.1.3 of the City of Prince Albert Zoning Bylaw No.1 of 1987, a notice has been served to each assessed landowner within 75-meter radius of the property in writing by ordinary mail at least seven (7) days prior to the date of consideration of the discretionary use application by City Council.

Advertising has occurred in accordance in accordance with the above.

**ATTACHMENTS:**

1. Location Map
2. Concept Plan / Proposed Subdivision Plan
3. Proposed Parcel A Development Plan / Building Elevations
4. Bylaw No. 23 of 2010
5. Schedule A Bylaw No. 23 of 2010

**CONCLUSION:**

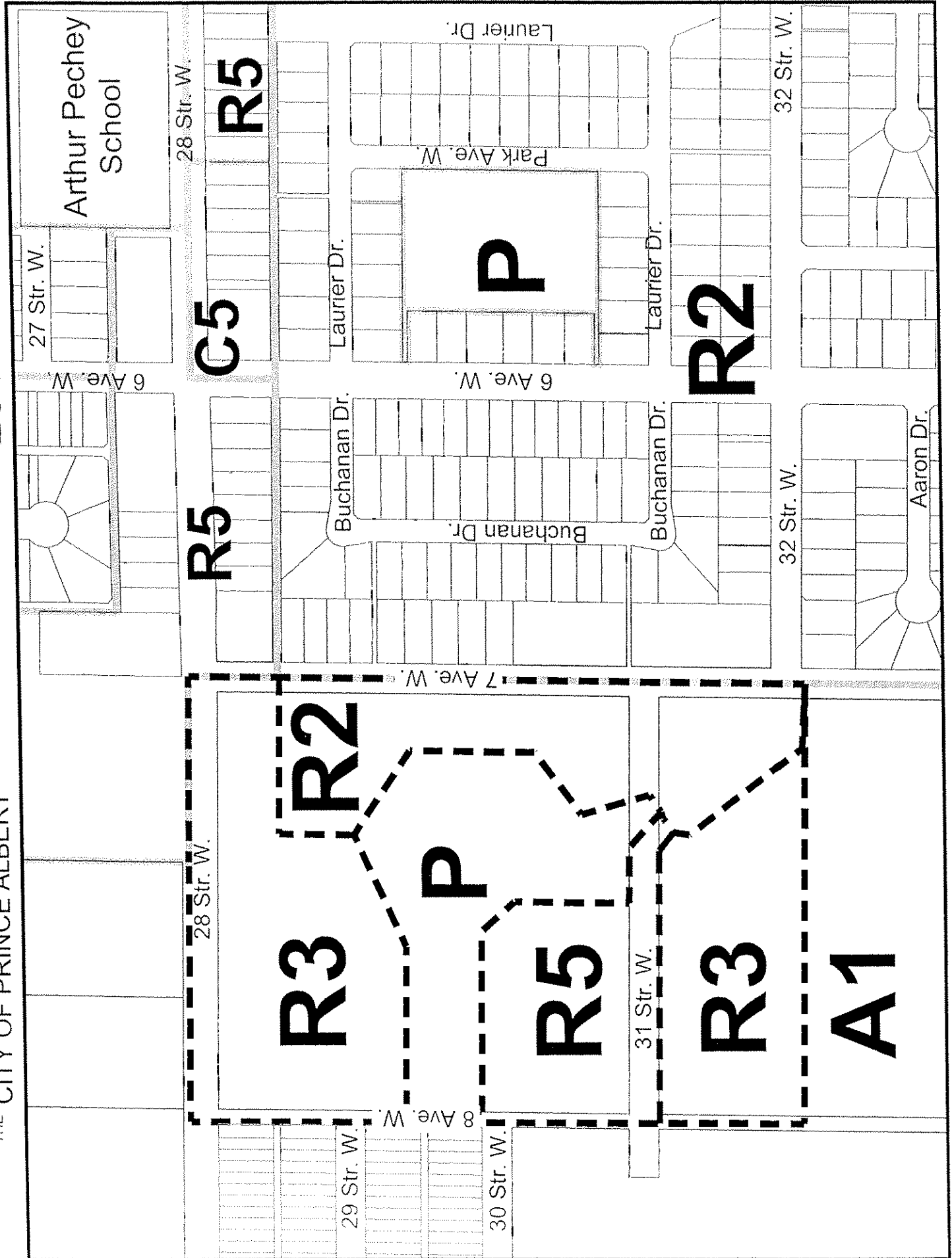
The Economic Development and Planning Department recommends 2<sup>nd</sup> / 3<sup>rd</sup> reading to Bylaw No. 23 of 2010 to rezone the applicant's property from (A1) Agricultural to (R3) Two Unit Dwelling, (R5) Multiple Unit Dwelling, (R2) Large Single Dwelling, and (P) Park, subdivision approval, and development permit approval subject to conditions.

**Respectfully Submitted,**

  
Wes Holowachuk, Planner 1

# LOCATION PLAN

THE CITY OF PRINCE ALBERT

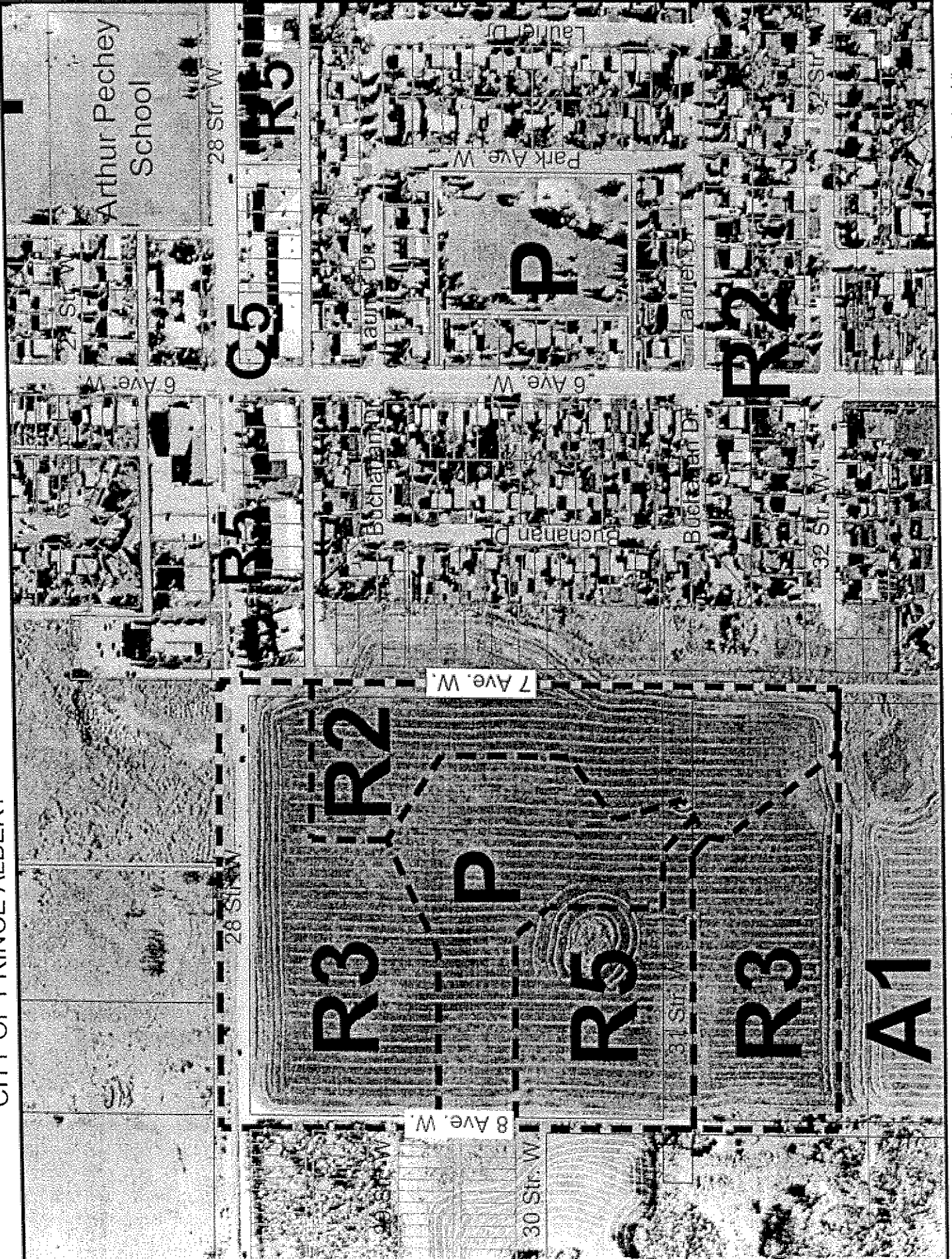


Subject Property outlined by a bold dashed line

Rezoning from A1 to R5, R2, and P

LOCATION PLAN

THE CITY OF PRINCE ALBERT



NORTH

S T N

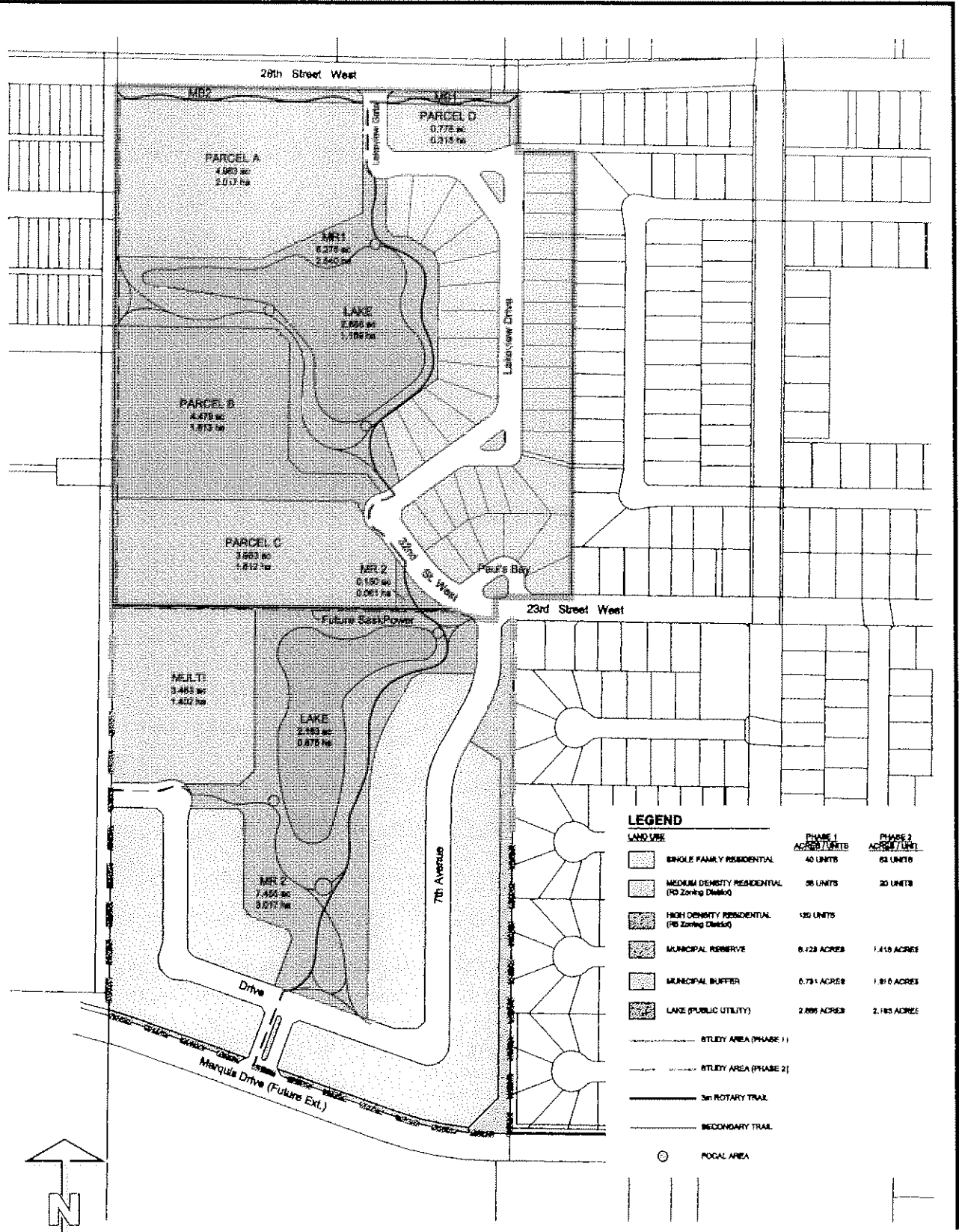
A1 to R5 R2 and P rezoning 30/04/10 C.G.

NORTH

Subject Property outlined by a bold dashed line

Rezoning from A1 to R5, R2, and P

The drawings have been prepared for the use of AECOM's client and they may not be used, reproduced or relied upon by third parties, except as agreed by AECOM and its client, as required by law or for use by governmental reviewing agencies. AECOM accepts no responsibility, and denies any liability whatsoever, to any party that modifies the drawing without AECOM's express written consent. Do not scale the document. All measurements must be obtained from stated dimensions.



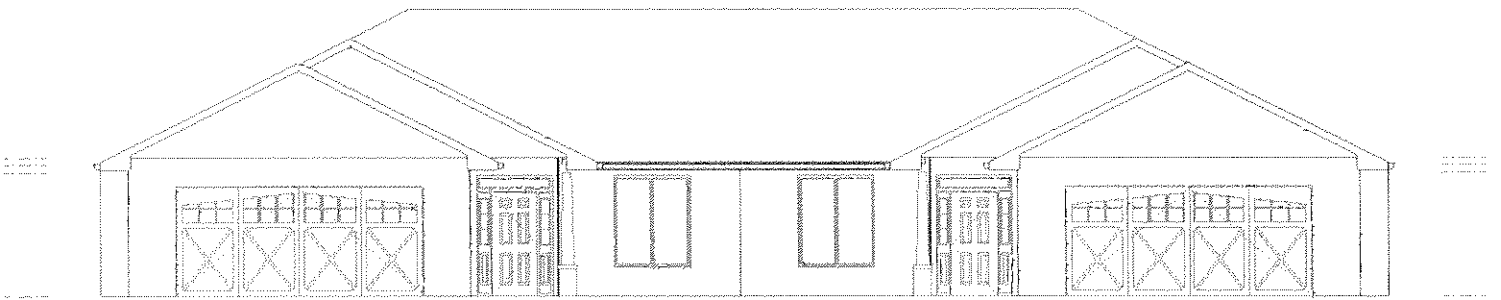
Prince Albert Real Estate Ltd.  
 Trac Heights Subdivision - Revised Concept Plan & Engineering

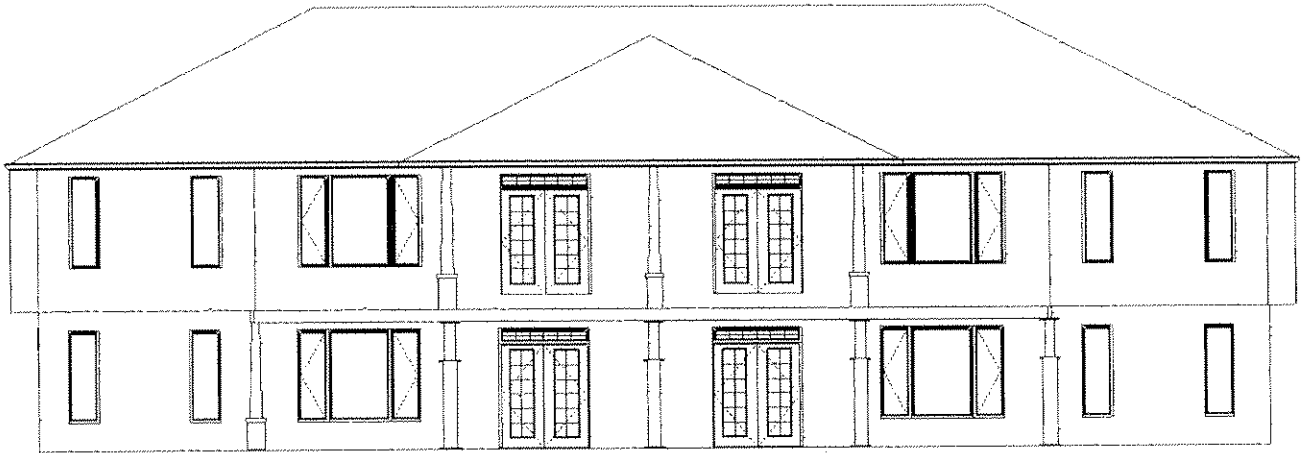
**Land Use Concept**



Figure - 5







Rear Elevation

# CITY OF PRINCE ALBERT BYLAW NO. 23 OF 2010

*A Bylaw of The City of Prince Albert to amend  
Zoning Bylaw No. 1 of 1987*

**WHEREAS**, pursuant to Section 46 of *The Planning and Development Act, 2007* the Council of The City of Prince Albert in the Province of Saskatchewan in Council assembled hereby enacts as follows:

1. Bylaw No. 1 of 1987 is amended in the manner hereinafter set forth.

The City of Prince Albert Zoning District Map, being "Appendix B" referred to in Section 2.5 Zoning Maps is hereby amended by rezoning:

Parcel H, Plan 72PA00606; and  
Part of Parcel J, Plan 72PA00606  
Prince Albert, Saskatchewan

From (A1) Agricultural to (R3) Two Unit Dwelling, (R5) Multiple Unit Dwelling, (R2) Large Single Dwelling, and (P) Park. As shown in bold outline on Schedule "A", attached to and forming part of this Bylaw.

2. This bylaw shall come into force and effect on from and after the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, AD 2010.

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AD 2010.

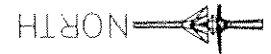
READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AD 2010.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

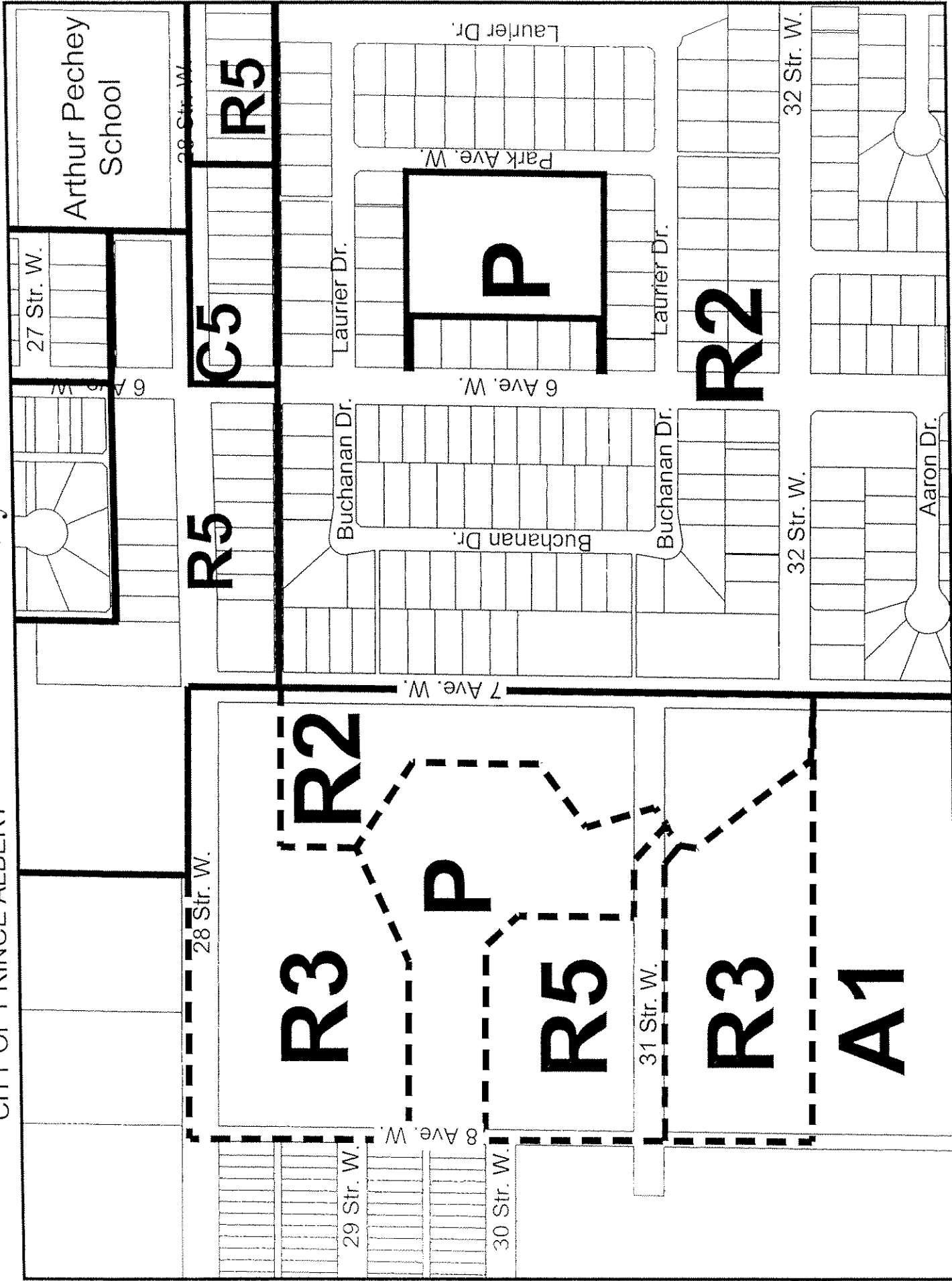
Bylaw 23 of 2010 "Schedule A"

THE CITY OF PRINCE ALBERT



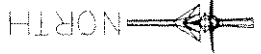
S - N

A1 to R5 R2 and P rezoning 30/04/10 C.G.



Subject Property outlined by a bold dashed line

Rezoning from A1 to R5, R2, and P

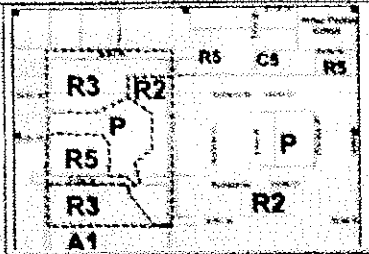


**PUBLIC NOTICE**

**ZONING BYLAW AMENDMENT  
- BYLAW NO. 23 OF 2010**

Public Notice is hereby given that the Council of The City of Prince Albert intends to adopt Bylaw No. 23 of 2010 to amend Bylaw No. 1 of 1987, known as The City of Prince Albert Zoning Bylaw.

**Reason for Amendment:** Through Bylaw No. 23 of 2010, the property highlighted on the map in bold dashed lines will be rezoned from (A1) Agricultural to (R3) Two Unit Dwelling, (R5) Multiple Unit Dwelling, (R2) Large Single Dwelling and (P) Part. The amendment is being brought forward for Council's consideration to accommodate the proposed development of a Planned Group of Dwellings (Condominium) development.



**Legal Description:**  
The affected land is legally described as:  
Parcel H, Plan 72PA00606; and  
Part of Parcel J, Plan 72PA00606  
as shown on the map.

**PUBLIC HEARING** - City Council will hear all submissions on the proposed amendment and all persons who are present and wish to speak on:

**Monday, October 18<sup>th</sup>, 2010 at 5:00 pm in City Hall Council Chambers, 1084 Central Avenue, Prince Albert, SK**

Therefore, 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 4:45 p.m. on Tuesday, October 12<sup>th</sup>, 2010.

**INFORMATION** - Questions regarding the proposed amendment, or requests to view the proposed amending Bylaw or Zoning Bylaw, or the City of Prince Albert's Development Plan, may be directed to the following without charge:

**Economic Development and Planning Department**  
City Hall, 1084 Central Avenue  
Prince Albert, SK S6V 7P3  
8:00 a.m. to 4:45 p.m. - Monday to Friday (except holidays)  
Phone: 953 - 4371 (Wes Holowachuk)

Issued at the City of Prince Albert, this 2<sup>nd</sup> day of October 2010  
Cliff Skauge, City Clerk

RECEIVED

OCT 05 2010

CITY CLERK  
*Special City Council*

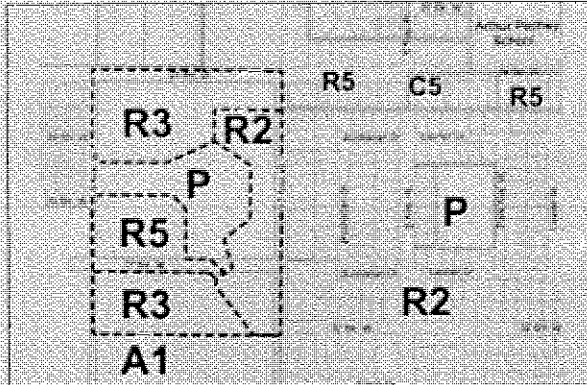
*PA Daily Herald  
Sat Oct 2/10*

## PUBLIC NOTICE

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Issued at the City of Prince Albert, this 9th day of October 2010  
Cliff Skaug, City Clerk

RECEIVED

OCT 12 2010

CITY CLERK

COUNCIL *JS*

*PA Daily Herald*  
*Sat Oct 9/10*