

CITY OF PRINCE ALBERT

BYLAW NO. XX OF 2019

A Bylaw of The City of Prince Albert to amend the City of Prince Albert
Official Community Plan No. 21 of 2015

WHEREAS, Bylaw No. 21 of 2015 has been passed, pursuant to Section 29 of the Planning and Development Act, 2007, to adopt an Official Community Plan for the City of Prince Albert;

WHEREAS, City Council is required by Ministerial Order dated January 13, 2016, to amend Section 10.9 – Flood Plain Risk Areas; and

NOW THEREFORE, the Council of the City of Prince Albert in open meeting, assembled enacts as follows:

1. Bylaw No. 21 of 2015 be amended as follows:
 - a. Section 10:
 - i. Delete Subsection 10.9 in its entirety; and,
 - ii. Insert the following:

“SECTION 10.9 FLOOD PLAIN RISK AREAS

Lands adjacent to rivers are subject to periodic flooding. Development on these lands needs to be regulated to manage land impacts and protect the safety and wellbeing of citizens.

The Federal Government initiated the Flood Damage Reduction Program (FDRP) in 1975 to curtail assistance payments, discourage development in flood areas and avoid the need for costly structural flood control measures. Saskatchewan joined the FDRP in 1977 by signing a general and combined mapping and studies agreement. Several communities throughout Canada and Saskatchewan subject to recurrent and severe flooding were mapped to establish their flood risk areas. Prince Albert however, was not part of this mapping agreement. Once a flood risk area is mapped and designated, both governments agreed not to build or support any future flood vulnerable development in those areas..

The City of Prince Albert has the legal authority and responsibility for land use planning under *The Planning and Development Act, 2007*, and is legally responsible for safe and

orderly development through adopted policies and bylaws that mitigate risk.

The Act requires Official Community Plans, Zoning Bylaws, Subdivision Bylaws and Development Permits to be consistent, in so far as practical, with the Statements of Provincial Interest (SPI). The SPI prohibits new building construction or additions in the floodway of the 500 year flood event and requires flood proofing measures for new building construction or additions in the flood fringe of the 500 year flood event elevation, both in mapping or within the text of this Plan.

The following definitions shall help establish the basis for Flood Risk Regulations in the Zoning Bylaw and other development bylaws:

Floodway means the portion of the Floodplain adjoining the channel where the waters in the flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.

Flood fringe means the portion of the Floodplain not lying within the Floodway and where the waters in the flood are projected to be less than a depth of one metre or a velocity of one metre per second.

Floodplain means the area including the Floodway and Flood fringe covered by water during the 1:500 year flood event.

Freeboard means the elevation of the 100 or 500 year flood event elevation plus a freeboard of 0.5 metres.

Flood Risk Area means the boundary encompassing the floodway and flood fringe of the 1:100 and 1:500 year flood event as identified on the Flood Risk Area Map see Schedule 16.1.9.

Goal:

The flood risk areas of the North Saskatchewan River in the City of Prince Albert have been identified in Schedule 16.1.9. Any development on these lands needs to provide suitable area-wide or site specific mitigation measures and preclude flood vulnerable development to prevent injury, loss of life and minimize property damage.

Policies:

- i. Determine the infrastructure and mitigation measures necessary to protect planned or affected development in flood risk areas;
- ii. The City shall continue to work with the Water Security Agency and the Province to accurately delineate and update the limits of the Flood Fringe and Floodway of the North Saskatchewan River in Prince Albert through improved mapping techniques, modeling and demonstration projects;
- iii. The City shall encourage financial and technical partnerships with senior levels of governments and the Water Security Agency to undertake periodical review of the limits of the Flood Risk Area in Prince Albert;
- iv. The Zoning Bylaw and other development bylaws shall identify Flood Risk Areas.

Regulations shall be developed that acceptably reduce impacts on development projects;

- v. The Flood Risk Regulations in the Zoning Bylaw and other development bylaws shall be classified in three zones: the Flood Fringe of the 500 year flood event, the Floodway of the 500 year flood event elevation, and the Restricted Floodway of the 100 year flood event elevation. Schedule 16.1.9 delineates the noted areas;
 - vi. No residential, commercial, institutional or industrial development shall be allowed within the Floodway below the 100 year flood event elevation except for recreational and agricultural related development in accordance with the Flood Risk Regulations in the Zoning Bylaw and other development bylaws. Covenants or land title restrictions may be established to manage non-habitable areas and equipment or storage materials that could be affected by flooding;
 - vii. Existing development shall be allowed to continue in the Flood Risk Area, including regular maintenance;
 - viii. New residential subdivision (expansion of existing neighborhood or new neighborhood) shall not be allowed within the Flood Risk Area (as identified in the Zoning Bylaw and other development bylaws) except for infill development where suitable mitigation measures can be applied;
 - ix. New development including development permits, subdivisions, rezoning and building construction within the Flood Plain is subject to the Flood Risk Regulations in the Zoning Bylaw, other development bylaws and the National Building Code;
 - x. The City may hire a professional engineer to establish development standards to achieve consistency in meeting the Flood Risk Regulations in the Zoning Bylaw and other development bylaws, and the National Building Code;
- b. Schedule 16.1.9:
- i. Delete Schedule 16.1.9 in its entirety; and,
 - ii. Insert the attached Schedule 16.1.9.

2. This Bylaw shall come into force and take effect on, from and after the final passing thereof and its approval by the Minister of Government Relations.

INTRODUCED AND READ A FIRST TIME THIS DAY OF , A.D., 2017.

READ A SECOND TIME THIS DAY OF , A.D., 2017.

READ A THIRD TIME AND PASSED THIS DAY OF , A.D. 2017.

MAYOR

CITY CLERK