



| Statement of Policy and Procedure |  |            |               |
|-----------------------------------|--|------------|---------------|
| Department:                       | Planning and Development Services                              | Policy No. | <b>108</b>    |
| Section:                          | Planning   | Issued:    | July 12, 2021 |
| Subject:                          | <b>Walkway Closure Policy</b>                                  | Effective: | July 12, 2021 |
| Council Resolution # and Date:    | Council Resolution 0281 dated July 12, 2021                    |            |               |
|                                   |  | Replaces:  |               |
| Issued by:                        | Kristina Karpluk, Planning Manager                             | Dated:     |               |
| Approved by:                      | Craig Guidinger, Director of Planning and Development Services |            |               |

## **1 POLICY**

The City of Prince Albert may consider the closure of a walkway, in accordance with this policy.

## **2 PURPOSE**

The purpose of the Walkway Closure Policy is to establish clear walkway evaluation criteria, walkway closure requirements and the walkway closure procedure.

## **3 SCOPE**

The Walkway Closure Policy applies to all walkways located within the corporate limits of the City of Prince Albert.

## **4 RESPONSIBILITY**

4.01 The Council of the City of Prince Albert is responsible for:

- a) Considering all walkway closure applications; and
- b) Considering any proposed amendments to the Walkway Closure Policy.

4.02 The Planning Advisory Committee is responsible for:

- a) Reviewing all walkway closure applications prior to City Council consideration;

- b) Providing recommendations to City Council on all walkway closure applications; and
  - c) Reviewing and providing recommendations to City Council on any proposed amendments to the Walkway Closure Policy.
- 4.03 The Department of Planning and Development Services is responsible for:
- a) Accepting, reviewing and processing walkway closure applications and inquiries; and
  - b) The review, administration and amendment to the Walkway Closure Policy.
- 4.04 The Applicant is responsible for:
- a) Submitting a complete walkway closure application and the necessary fees to Planning and Development Services;
  - b) Completing all the necessary steps and processes related to the walkway closure; and
  - c) Paying all costs associated with the walkway closure.

## **5 DEFINITIONS**

- 5.01 “Administration” means the collective administrative departments for the City of Prince Albert that participate in reviewing walkway closure applications.
- 5.02 “Applicant” means the individual(s) that submits a walkway closure application.
- 5.03 “City Council” means the Council of the City of Prince Albert.
- 5.04 “Planning Advisory Committee” means the review body for the Official Community Plan for the City of Prince Albert.
- 5.05 “Planning and Development Services Department” means the administrative department for the City of Prince Albert that is responsible for this policy and its procedures.
- 5.06 “Walkway” means a public pathway established for the purposeful movement of pedestrians throughout a neighbourhood.
- 5.07 “Walkway closure” a process that is undertaken to remove a walkway from public use, which may include but is not limited to the lease or sale of land, the removal of any surface infrastructure, and the physical closure of the walkway, typically by fencing.

## **6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE**

- 6.01 Section 201(4) of *The Planning and Development Act, 2007*, which states:  
“(4) Subject to the regulations made pursuant to section 205, a council may, by bylaw, authorize the sale of all or any part of any walkways if, in the opinion of the municipality, they are no longer necessary.”
- 6.02 *The City of Prince Albert Official Community Plan Bylaw No. 21 of 2015*
- 6.03 *The City of Prince Albert Zoning Bylaw No. 1 of 2019*
- 6.04 *The City of Prince Albert Subdivision Bylaw No. 15 of 2020*
- 6.05 *The City of Prince Albert Public Notice Bylaw No. 24 of 2015*
- 6.06 The City of Prince Albert Land Administration Policy
- 6.07 The City of Prince Albert Master Specifications and Design Standards

## **7 PROCEDURE**

### **7.01 Application Submission**

Prior to starting the walkway closure process, a complete walkway closure application along with the \$500 application fee shall be submitted to the Department of Planning and Development Services. The Applicant is responsible for paying any advertising costs, if required.

### **7.02 Preliminary Walkway Review**

Once the walkway closure application and fee have been submitted, Planning and Development Services will complete a preliminary review of the walkway (site inspection), document their findings and identify whether or not the walkway meets the necessary criteria for closure, as follows:

- a) An on-site review of the state of the walkway and the surrounding area will be completed by Planning and Development Services;
- b) During the site inspection, Planning and Development Services shall document the condition and location of the walkway, which may include:
  - i) The width, length and physical repair of the walkway and walking surface;
  - ii) The presence of garbage, graffiti, vandalism or other debris along the walkway;
  - ii) The lighting and visibility onto and throughout the walkway;
  - iii) The state of repair of the properties abutting the walkway (are they fenced, what is the state of repair of the fence, etc.);
  - iv) Identifying where the walkway leads; and
  - v) If required, an assessment during peak hours of who the

primary user groups are.

- c) If, upon review, the walkway meets any of the following criteria, Planning and Development Services may not recommend closure:
  - i) If the walkway is four (4) metres or greater in width;
  - ii) If the walkway provides necessary or purposeful access to neighbourhood amenities (schools, parks, the Rotary Trail, commercial districts, etc.) and there are no other points of access within general walking distance;
  - iii) If the walkway contains municipal or other utilities such as water and sewer lines or power and energy services; or
  - iv) If the closure of the walkway would create a safety issue (restricting access to a local amenity, create a dead end, etc.).

#### 7.02 Applicant Consultation

- a) Once the preliminary review of the walkway is complete, the results will be shared with the Applicant and Planning and Development Services may discuss options to rectify any immediate issues identified.
- b) Should the Applicant wish to withdraw their application, they will be refunded \$300 and a memo will be prepared for file detailing the findings of the preliminary review, as well as the Applicant's rationale for withdrawing their application.

#### 7.03 Public Consultation and Public Notice

Should the Applicant wish to continue with the walkway closure, and once Sections 7.01 and 7.02 of this policy have been completed, the following steps will occur:

- a) Landowners within 200 metres of the subject property will be notified in writing of the closure. This shall be run concurrently with the application review required in Section 7.04; and
- b) Subject to the completion of Section 7.04, public notice will be issued in accordance with the Public Notice Bylaw.

#### 7.04 Formal Walkway Closure Review

- a) Planning and Development Services will circulate the preliminary review findings and any associated information to additional members of Administration, as well as the following agencies (including but not limited to):

- i) the Ministry of Highways and Infrastructure (if the walkway is designated as “lane” or “right-of-way”);
  - ii) SaskEnergy;
  - iii) SaskPower; and
  - iv) SaskTel.
- b) If the walkway is designated with Information Services Corporation (ISC) as anything other than a parcel, Planning and Development Services may require additional ministry consent for the closure.
- c) Administration will review the walkway closure application for compliance with municipal policies and bylaws and to identify any additional processes that may need to take place prior to the walkway being closed, which include:
  - i) Zoning Bylaw amendment,
  - ii) road or lane closure,
  - iii) subdivision application,
  - iv) land sale, and/or
  - v) Interest or easement registration.

#### 7.05 Walkway Closure

- a) Once Sections 7.03 and 7.04 have been completed, the Department of Planning and Development Services will submit the necessary report(s) to the Planning Advisory Committee and City Council for consideration.
- b) If a walkway closure application is denied by City Council, the walkway shall remain open, and the City will not consider a walkway closure application for the same walkway for a minimum of two (2) years from the date of City Council's decision.
- c) If the walkway closure application is approved by City Council, the applicant will be required to complete the remaining processes identified by Administration during the formal review in Section 7.04.