

To: Mayor and Members of Council

May 10, 2010

Re: Zoning Bylaw Review – Proposed Zoning Bylaw

Background

In September, 2009 Council engaged the services of a consultant to review The Town of White City Zoning *Bylaw No. 366-02* with the goal to:

- consolidate all zoning amendments into the existing zoning bylaw and zoning map;
- create an electronic version of the bylaw;
- create an electronic version of the zoning map; and
- determine if some of the residential zoning districts could be consolidated to reduce the duplication of residential zones in the zoning bylaw.

The consultant, Mr. Garry Quiring, has completed his review and consolidation of the Bylaw. The purpose of this report is to obtain Council's approval of the proposed Zoning Bylaw and the process required to formalize the Zoning Bylaw changes.

Discussion

The process engaged by the consultant in reviewing and preparing changes to the Town's Zoning Bylaw has included several meetings with the Administration and a committee of Council. The results of the review and subsequent meetings are outlined as follows:

Electronic Format: The Zoning Bylaw has been organized into an electronic format with each chapter forming a separate document. This will allow ongoing amendments to be easily incorporated into the Bylaw. The electronic format and separate documents for each chapter which will allow for the immediate office consolidation by simply printing the amended page or portion of the amended chapter and inserting it into the Bylaw. This allows for an immediate update to the Bylaw without having to do a complete reprint of the Bylaw. This approach also eliminates the need for referencing all amendments to the Bylaw.

The reformatted Bylaw includes a numbering system for the specific identification of any

clause in the Bylaw. Managing the Bylaw in this manner would reduce confusion and the risk of making a mistake because an amendment was missed.

Zoning Map: The zoning district map has been also been put in an electronic format. All amendments to the existing zoning district map, the recommended consolidated zones and renumbered zones have been incorporated in the new map. The map can be easily updated to reflect any future rezoning in the community. It includes the immediate surrounding properties to show the interface between jurisdictions and can be modified to include the lands that are being considered for annexation. The map can be printed in any size necessary so that it can be used as a large scale wall map for use by the Town office. The zoning map has also been split into eight separate panels that are included in an 8 ½ x 11 format in the Zoning Bylaw. As with the Zoning Bylaw, when the map is amended the Zoning Bylaw map can be immediately updated without reprinting all eight panels by simply by printing the amended panel and inserting it into the Bylaw.

Consolidation of Zoning Districts: The existing Zoning Bylaw has ten residential zoning districts in the Town. These districts, with two exceptions, accommodate single family dwellings. Some of these zones have essentially the same regulations. In consideration of this redundancy, it is proposed that four zoning districts be consolidated into two and one district be deleted. The R1 and the R5 regulations are the same except for front yard setback and side yard setback, as depicted in the chart attached as Appendix "A". The R2 and the R6 regulations are also the same except for the side yard setback as depicted in Appendix "B". The comparison tables in Appendix "A" and "B" show these differences in the shaded areas. The proposed regulations changes would not put any existing developments into non-conformity situation.

The one district proposed to be deleted is the R9 district. Presently there are no properties in the Town zoned R9. There is no need, therefore, for this zoning district. Zoning districts R7, R8 and R10 will be re-designated to reflect the reduced numbers of residential zoning districts. The following table illustrates the proposed consolidations and re-designations. The existing zones are shown in brackets.

| District | Symbol |
|--------------------------|--------------|
| Residential | R1 (R1 & R5) |
| Residential | R2 (R2 & R6) |
| Residential | R3 |
| Residential | R4 |
| Residential | R5 (R7) |
| Residential | R6 (R8) |
| Residential | R7 (R10) |
| Commercial - Core | C1 |
| Commercial - Highway | C2 |
| Community Service | CS |
| Industrial | ID (M) |
| Future Urban Development | FUD |

All the land uses in the residential zoning districts were reviewed and changed accordingly to ensure consistency throughout the Bylaw.

The Planning and Development Act, 2007 requires that all property owners that own properties affected by rezoning require individual notification. The property owners that are affected by the consolidations require this notice under the Act. However, there is provision for the minister to waive that requirement. Given the very minor nature of the rezoning it is proposed that Council request this waiver through the minister of Municipal Affairs.

During the review process, in consultation with the Administration and the White City Planning and Development Committee, a number of additional requirements were

identified. The following is a brief summary of the more significant changes that are being proposed as part of this review:

- i. Definitions (chapter 2) - this chapter adds a number of new definitions, re-worded/enhanced definitions, and diagrams for the better clarification of certain definitions. There were deletes of redundant definitions.
- ii. Administration (chapter 3) - this chapter expands and clarifies sections of the existing bylaw and adds some new sections. Some of these additions include a new tool that Council can use in limiting how long a discretionary use may remain in effect.
- iii. Special Provisions (chapter 5) - this chapter revamps some existing provisions and adds some new provisions to address the present needs of the community including:
 - enhanced development standards for discretionary uses;
 - bed and breakfast regulations;
 - streamlines the home based business standards;
 - provides new service station standards; and
 - adds residential care home regulations.
- iv. Signs and Parking Standards (chapter 6 and 7) - these chapters provide new standards that are not included in the existing Bylaw. Although they may not be needed in the immediate future, this pro-active approach puts the community in a position to address these issues as they arise.
- v. Zoning Maps (chapter 8) - this chapter now includes a readable Zoning District map in an 8 ½ x 11 format.
- vi. Zoning Districts (chapters 9 through 12 inclusive) - the proposed changes to the residential zoning districts have been discussed earlier in this report. There are also changes proposed for the commercial zoning districts to reflect the direction provided in the most recent amendment to the Town's Official Community Plan (*Bylaw 505-07*) which includes provisions for expanded commercial development. Minor changes are proposed to update the other zoning districts.

During the course of using this new Zoning Bylaw, there will inevitably be modifications and clarifications needed to streamline and keep the Bylaw current. It is proposed, therefore, that the Administration submit an annual housekeeping report to Council to make the necessary amendments to the Bylaw.

Budget Implications

There are no budget implications associated with this report.

Conclusion

The consultant engaged to review and consolidate the Town Zoning Bylaw has completed his work. This has resulted in a new version of the Zoning Bylaw which includes several amendments, expanded definitions, new zoning maps, and consolidated Residential Zones. The proposed Zoning Bylaw has been organized into a digital format for ease of future management as amendments are made. The new proposed Zoning Bylaw, attached hereto as Appendix "C", would require passage of a Bylaw after a formal Public Hearing process.

The proposed Zoning Bylaw has been reviewed by the Administration and the Planning and Development Committee. Both jurisdictions are in support of the changes that have been made and in particular the reorganized digital format. The proposed Zoning Bylaw, when adopted, would replace the current Zoning Bylaw which has been difficult to administer and maintain in a manageable state.

Following Council's support for the proposed Zoning Bylaw, the Administration would engage the Town's legal counsel to assist with the preparation of a new Zoning Bylaw. The proposed Zoning Bylaw would then be brought to Council for first reading. The report would also include a description of the process required to advertise the proposed Bylaw and conduct a Public Hearing on the matter.


The proposed Zoning Bylaw includes the consolidation of several of the residential zoning districts. The proposed consolidations have no impact with respect to the permitted uses in the affected zones. The proposed consolidations would not create any non-conformity in the existing developments. In consideration of this it is proposed that Council authorize the Administration to write Ministry of Municipal Affairs in accordance with section 209(2) of the *Planning and Development Act, 2007*, requesting the Minister to waive Section 290 (1) of *The Planning and Development Act, 2007*. The ministerial waiver would exempt Council from having to give written notice to each owner of land that might be affected by the proposed amendments.

Recommendation

Your Administration recommends that:

1. Council directs the Administration to consult the Town's legal counsel to prepare the appropriate Zoning Bylaw, a Bylaw to amend White City Zoning Bylaw No. 366-02, for first reading;
2. Council requests that the Minister of Municipal Affairs waive Section 209 (1) of the *Planning and Development Act, 2007* in accordance with Section 209 (2) of the Act.

Respectfully submitted,



Bryan Dimen,
Town Manager

To: Mayor and Members of Council

May 10, 2010

Re: Development Agreement – Bower West Phase II - Hwy #48 and Lott Road Intersection

Background

At the April 26, 2010 meeting, Council considered a report concerning the matter of the connection of Lott Road to Hwy No. 48 as part of the Bower West Phase II Development Agreement. The report, which is attached hereto as Appendix "A", resulted in the following Council resolution:

"That Council refers this report to the May 10, 2010 Council meeting pending the outcome of the Administrations discussions with the Developer to determine his willingness to pay for the safety improvements proposed for the Lott Rd. and Hwy No. 48 connection."

The Administration has completed discussions with the Great Plains Leaseholds Ltd., herein referred to as the Developer. The purpose of this report is to bring forward the April 26, 2010 report in context of the outcome of the Administrations discussions with the Developer for Council's consideration.

Discussion

In advance of discussions with the Developer, the Administration provided him with a copy of the April 26, 2010 report. After review of the report recommendations the Developer indicated that he would consider the following:

- i. Provide cost estimate - The Developer agreed to direct his project engineer to provide cost estimates for proposed safety improvements which include:
 - Installation of flashing "important intersection" indicator light;
 - Conversion of the existing southbound gravel shoulder to a paved right turn lane; and
 - Construction of a northbound shoulder lane opposite Lott Rd. Entrance.
- ii. Share project Costs - The Developer agreed to share the cost of the construction of the safety improvements over and above what he had agreed to in the Bower West Phase II Development Agreement.

Following receipt of the cost estimates for the safety improvements, the Administration would incorporate the costs into the Town's Five Year Capital Budget for Council consideration.

The Developer has expressed a desire to complete the Lott Rd connection as soon as possible. If it is determined that the Town does not have sufficient funds available to fund the Town's share of the improvements in the short term, the Developer has indicated his willing to consider front ending the improvements and recover the Town's share of the project in future years. This approach has merit and could be structured under a separate agreement between the Town and the Developer.

Budget Implications

The Developer has agreed to provide a cost estimate for the safety improvements recommended in the April 26, 2010 report to Council. The Developer has also agreed to share the cost of such improvements. Once the cost estimates for the improvements are available, the Administration will incorporate them into the Town's Five Year Capital Budget for Council's consideration.

Conclusion

The Administration has discussed the April 26, 2010 report with the Developer as directed by Council. The Developer supports the report recommendations but would like to make the connection to Hwy No. 48 as soon as possible. In consideration of this the Developer has agreed to obtain estimates for the work, cost share the improvements and consider entering into an agreement that would involve Great Plains Leaseholds Ltd. front ending the Town's share of the capital safety improvements. The latter would only occur if Council determined there were insufficient funds available to fund the safety improvements in 2010. In this instance the Town's portion of the project costs would be repaid to the Developer at some future predetermined date.

Recommendation

Your Administration recommends that:

1. Council approves the following safety improvements for the Lott Rd. and Highway #48 intersection:
 - a) reduce the speed at the Town limits to 60 km/hr;



Town Manager

- b) Install a flashing "important" intersection ahead sign at the 300m sight line limit;
 - c) Convert the existing southbound gravel shoulder to a paved right turn lane.
 - d) Construct a northbound shoulder lane opposite Lott Road entrance to provide vehicles traveling north an area to maneuver around vehicles that may be turning left on Lott Rd and to serve as a safe haven for vehicles leaving the subdivision start sliding on the super-elevated grade; and
 - e) Town maintenance to give the intersection a maintenance priority in the winter to clean, sand or salt in slippery conditions.
2. Council directs the Administration to obtain cost estimates for the approved safety improvements for inclusion in the Town's Five Year Capital Budget;
 3. Council agrees to cost share the safety improvements on a 50/50 basis with the Developer;
 4. Council directs that the formal connection off Lott Rd to the No. 48 Highway not be completed until all the approved safety improvements are in place.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bryan Dimen".

Bryan Dimen,
Town Manager



To: Mayor and Members of Council

April 26, 2010

Re: Development Agreement – Bower West Phase II – Hwy #48 and Lott Road Intersection.

Background

If February 2010, Council adopted a resolution approving the Development Agreement for Bower Estates West Phase II – Great Plains Leasehold Ltd. The proposed subdivision provides for access to the No. 48 Highway from Lott Road. The Agreement includes a clause that acknowledges the Developers responsibilities for the connection as follows:

“The developer agrees to provide the Town copies of the detailed design plans for the intersection at Lott Rd. connecting to Highway No. 48. Such design shall carry the seal of a professional engineer for same to sign by him. The developer agrees to provide a street light at the intersection and split the cost of the flashing light if required.”

The Administration has received the detailed design for the Highway approach pursuant to the aforementioned Agreement clause. The purpose of the report is to present the report findings for Council’s consideration and subsequent direction.

Discussion

The detailed design was provided by Associated Engineering (AEL) on behalf of Great Plains Leaseholds Ltd. AEL acknowledges that locating a highway intersection on a super elevated curve, which describes this intersection, is not recommended. Given that the intersection has already been approved by Council and is within the Town limits AEL proposes that it can be made safer by implementing the following measures:

1. Suggest reducing the speed at the Town limits to 60 km/hr;

2. Install a flashing "important" intersection ahead sign at the 300m sight line limit;
3. Convert the existing southbound gravel shoulder to a paved right turn lane. The TAC guideline suggests a 49 m length for this turn lane. The attached sketch (Appendix "A") shows a 50 m long turn lane. Additional fill will be required to support this turn lane;
4. Construct a "safety" approach opposite the Lott Road entrance to provide a safe haven if vehicles leaving the subdivision start sliding on the super-elevated grade; and
5. Town to give this intersection a maintenance priority to clean, sand or salt in slippery conditions.

It is important to note that there are cost implications for the Town associated with the implementation of the safety measures. The Developer, as noted in the Development Agreement, is responsible for the installation of one street light at the intersection and to cost share one flashing "important" intersection ahead sign.

The improvements related to paving the existing gravel shoulder on the southbound land to serve as a turn lane and the construction of a "safety" approach opposite Lott Road entrance would be at the Town's expense. While your Administration supports the proposed safety improvement in general we offer the following comment:

- Reduction of Town limit speed to 60 km: This action will be initiated by Administration at minimal cost to the Town ;
- The cost of the flashing "important" intersection sign will need to be determined;
- The proposal to "convert the south bound shoulder lane into a paved "turn lane" has merit and will need to be costed. It would be a Town expense.
- The "safety" approach opposite Lott Rd., while having merit would be made safer by extending the shoulder along the northbound lane sufficient to allow north bound traffic to maneuver around traffic turning left onto Lott Rd. The Administration believes this would be a longer term and safer condition than the proposed "safety" improvement. This initiative would need to be costed and would be at the Town's expense.

Budget Implications

The Administration will need to obtain cost estimates for the safety improvements that are being proposed and are the Town's responsibility. The cost estimates would be identified and included in the Town's Five Year Capital Budget which would be subject to Council's approval.

Conclusion

The Developer of the Bower Estates East Phase II subdivision has met their obligations with regards to the detailed design requirement for the Lott Road and Highway #48 intersection. The more significant safety improvements proposed for the intersection would be at the Town's expense. It will be necessary, therefore, for the Administration to determine the cost of the improvements and incorporate them into the Town's Five Year Capital Budget. The improvements proposed for the intersection are important to the long term safety of the residents and Highway users. It is proposed, therefore, that the formal connection to Highway #48 off of Lott Road not be completed until all the safety improvements are in place.

Recommendation

Your Administration recommends that;

1. Council approves the following safety improvements for the Lott Rd. and Highway #48 Intersection:
 - a) reduce the speed at the Town limits to 60 km/hr;
 - b) Install a flashing "important" intersection ahead sign at the 300m sight line limit;
 - c) Convert the existing southbound gravel shoulder to a paved right turn lane.
 - d) Construct a northbound shoulder lane opposite Lott Road entrance to provide vehicles traveling north an area to maneuver around vehicles that may be turning left on Lott Rd and to serve as a safe haven for vehicles leaving the subdivision start sliding on the super-elevated grade; and

- e) Town maintenance to give the intersection a maintenance priority in the winter to clean, sand or salt in slippery conditions.
2. Council directs the Administration to obtain cost estimates for the approved safety improvements for inclusion in the Town's Five Year Capital Budget; and
3. Council directs that the formal connection off Lott Rd to the No. 48 Highway not be completed until all the approved safety improvements are in place.

Respectfully submitted,



Bryan Dimen,
Town Manager

To: Mayor and Members of Council

May 10, 2010

Re: White Butte Regional Planning Steering Committee – Vision and Mission Statements

Background

In May 2009, the Ministry of Municipal Affairs hosted an intermunicipal forum which included the municipalities of Balgonie, Pilot Butte, White City and the RM of Edenwold. The purpose of the forum was to determine if there was a need or interest to improve regional level cooperation and communication. The result of the forum was the creation of the White Butte Regional Planning Steering Committee, herein referred to as the Committee. The Committee engaged a consultant HJ Linnen Associates, to assist the Committee with its development, structure and organization function. One of the early tasks was the creation of the Vision and Mission statement for the Committee. The purpose of this report is to seek Council approval of the recently developed Vision and Mission statements that have been prepared by the White Butte Regional Planning Steering Committee.

Discussion

The Vision and Mission statements, attached hereto as Appendix “A”, have been prepared through a collaborative process involving members of the White Butte Regional Planning Steering Committee. The White City representatives on the Committee are Mayor Bruce Evans, Councilor Howard Slack and Consultant Bob Linner. The Town’s representatives on the Committee have been part of the development process and support the statements as prepared.

Consultant Bob Linner has been participating on the Committee pursuant to a personal service contract with the Town. The Contract specifies that Mr. Linner’s role on The Committee would be for the period Jan 1, 2010 to April 30, 2010, and that any extension of his contract related to Committee work would be at the discretion of the Town Manager. This is to advise Council that the Town Manager has authorized the extension of Mr. Linner’s contract to continue on the Committee until September 30, 2010. The extension ought to be sufficient to allow the Committee to be fully functional. Mr. Linner’s continued role on the Committee would be reviewed at the end of September to determine whether his continued involvement is still required.

Budget Implications

The cost to extend the contract for Mr. Linner to participate on the White Butte Regional Planning Steering Committee is estimated at \$2,000.00. The Administration would ensure there are sufficient funds in 2010 Budget to manage the contract extension.

Conclusion

The Town representatives on the White Butte Regional Planning Steering Committee have participated in a process that has created the Vision and Mission statement for the Committee. Council endorsement of the statements are requested.

White City has three representatives on the Committee which include consultant Bob Linner. The Town's Personal Service Contract with Mr. Linner states that his term of involvement on the Committee concludes April 30, 2010. The Contract also states that his involvement on the Committee may be extended at the discretion of the Town Manager. The Town Manager has extended the White Butte Committee component of Mr Linner's Contract to September 30, 2010.

Recommendation

Your Administration recommends that:

1. Council approves the White Butte Regional Planning Steering Committee Vision and Mission Statement.

Respectfully submitted,



Bryan Dimen,
Town Manager

White Butte: Saskatchewan's Region of Choice

Our Vision

Our vision is for White Butte to be a progressive and inviting destination region of more than 30,000 people who enjoy a high quality of amenities and infrastructure, along with a vibrant and secure family friendly lifestyle that balances urban and rural values.

In this vision, each of our four municipalities makes a unique, essential and valued contribution to the region, participating together in managed growth and making our region a strong and complementary partner with the City of Regina.

The White Butte region is recognized as the premier model for urban-rural collaborative development in Saskatchewan, and has created the most active community partnership in the province.

Our Mission

We will achieve our vision by creating a growing, healthy, sustainable White Butte region in which our four municipalities share planning and service delivery through structures that are fair and cost efficient, and maximize benefits and value for our citizens.

To: Mayor and Members of Council

May 10, 2010

Re: Zoning Bylaw Amendment – Bower West Phase III

At their April 12, 2010 meeting, Council considered a report that introduced an amendment to the Town Zoning Bylaw. The amendment, through *Bylaw No. 537-10*, would provide for a school to be developed within the Bower West Phase III development on property that had been set aside for this purpose. Council adopted the following resolution:

1. Council gives first reading of *Bylaw No. 537-10*, and
2. Council gives the authorization to the Administration to advertise and convene a public hearing on the zoning amendment and rezoning of the Bower West Phase III development and that such a hearing be held at Town Council Chambers, 8:00pm on May 10, 2010.

The purpose of this report is to introduce *Bylaw No. 537-10*, a Bylaw of the Town of White City to amend *Bylaw No. 366-02* known as the Zoning Bylaw, for second and third reading subject to the outcome of the public meeting.

Discussion

The *Municipalities Act* provides that a municipality follow a prescribed process when proposing to introduce changes to its Zoning Bylaw. The process involves providing public notice of Councils intent to introduce changes, by advertising in the local news paper for two consecutive weeks and providing interested parties an opportunity to attend a public hearing. Attached as Appendix "A" is a copy of the Public Notice that was advertised in the Border Town Newspaper which is circulated to White City residents. The notice meets all the requirements of the legislative process. Also attached, Appendix "B", is a copy of *Bylaw No. 537-10*. Pending the outcome of the public hearing scheduled for 8:00pm on this Council Agenda, the passage of this bylaw would allow schools to be recognized as a permitted use in CS – Community Service Zone and allow for the re-zoning of the purposed school site in Bower West Phase III to CS – Community Service Zone.

Budget Implications

The cost associated with the amendments to the Zoning Bylaw and the rezoning of the school property would be approximately \$550.00. This represents the cost of running the advertisement in the local newspaper.

Conclusion

It is Council's intent to amend *The Zoning Bylaw No. 366-02*, to provide for schools as a permitted use in CS – Community Service Zones and to rezone the proposed school site property in Bower West Phase III to a CS Zone. In order to achieve this, the Administration has followed the prescribed legislative process by advertising the proposed changes in the local newspaper and by convening a public hearing on the matter. Pending the outcome of the public hearing scheduled as part of this Council meeting, the Administration proposes passage of the amending bylaw.

Recommendation

Your Administration recommends that:

1. Council provides second and third reading of *Bylaw No. 537-10*, A Bylaw to amend *Bylaw No. 366-02* know as the zoning Bylaw.

Respectfully submitted,



Bryan Dimen,
Town Manager

TOWN OF WHITE CITY
BYLAW NO. 537-10

**A BYLAW OF THE TOWN OF WHITE CITY TO AMEND BYLAW NO. 366-02 KNOWN
AS THE ZONING BYLAW:**

The Council of the Town of White City in the Province of Saskatchewan enacts as follows:

That Bylaw No. 366-02 is amended as follows:

1. That Part V, Section 13, CS – Community Service District, be amended by adding schools as a permitted use;
2. That Part V, Section 2, Zoning Maps is amended by designating the school site, as per the proposed plan described as N1/2 SEC 13, TWP 17, RGE 18, W2MER attached to this Bylaw as Schedule "A", as CS – Community Service District; and
3. That Bylaw No. 537-10 shall come into effect upon third reading

Mayor

(Seal)

Manager

INTRODUCED AND READ A FIRST TIME ON THE 12th DAY
OF APRIL, 2010.

READ A SECOND TIME ON THE 10th DAY OF MAY, 2010.

READ A THIRD TIME AND ADOPTED ON THE 10th DAY OF
MAY, 2010.

Certified a true copy of Bylaw No. 537-10
adopted by resolution at a meeting duly
held on the 10th day of May, 2010.

(Seal)

Bryan Dimen, Town Manager