

CITY OF YORKTON
REGULAR COUNCIL MEETING AGENDA
Monday, May 9, 2022 - 5:00 p.m.
Council Chambers, City Hall

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **PUBLIC ACKNOWLEDGEMENTS**
4. **APPROVAL OF MINUTES**
 - Regular Council Meeting Minutes – April 11, 2022
 - Committee of the Whole Council Meeting Minutes – May 2, 2022
5. **UNFINISHED BUSINESS**
6. **REPORTS OF COUNCIL COMMITTEES AND MATTERS REFERRED**
 - Planning and Infrastructure Commission Meeting Minutes – February 2, 2022
 - Yorkton Public Library Board Meeting Minutes – February 9, 2022
 - Mayor - York Lake Regional Park – Board Member Appointments 2022-2023
7. **HEARING OF PETITIONS, PUBLIC NOTICES AND PRESENTATIONS**
 - Presentation by St. Paul's Grade 6 Safety Patrollers – CAA School Safety Patrollers
 - Public Hearing - Proposed Bylaw No. 9/2022 Rezone 129 and 135 Myrtle Avenue from C-1 to CMI-1 and Amend Zoning Map of Bylaw No. 14/2003 to Reflect Rezoning [One written submission received in opposition]
 - Public Hearing - Discretionary Use Application for 129 & 135 Myrtle Ave to Allow for a Storage Facility
8. **BUSINESS ARISING OUT OF PETITIONS, PUBLIC NOTICES AND PRESENTATIONS**
 - Director of Planning, Building & Development
 - Proposed Bylaw No. 9/2022 Amend Zoning Bylaw No. 14/2003 by Rezoning 129 and 135 Myrtle Avenue from C-1 to CMI-1 and Amend Zoning Map to Reflect Rezoning [2nd and 3rd readings]
 - Discretionary Use Application for 129 & 135 Myrtle Ave to Allow for a Storage Facility – Decision following Public Hearing
9. **CORRESPONDENCE**
10. **BYLAWS**
 - Bylaw & Safety Supervisor
 - Proposed Bylaw No. 10/2022 Amend Animal Control Bylaw No. 5/2018
11. **ADMINISTRATIVE REPORTS**
 - Director of Public Works
 - 2022-2025 Roadways Improvements Plan
 - Director of Engineering & Asset Management
 - Street Sweeper Tender Award
 - Director of Finance
 - Preliminary 2021 Year-End Report
 - Director Legislation & Procedures (City Clerk)
 - Recommendations from May 2, 2022 Committee of the Whole Council Meeting – Council Priorities 2022 Quarter 1 Updates
12. **GIVING NOTICE OF MOTION**
13. **IN CAMERA SESSION**
 - 3 Other Items
 - Other Item A
 - Other Item B
 - Other Item C
14. **ADJOURNMENT**

Planning and Infrastructure Commission

MINUTES

FEBRUARY 2, 2022

7:00 A.M.

CITY HALL, COUNCIL
CHAMBERS

| | |
|---------------|---|
| Attendees | Chairperson: Michael Eger (City Administration) Councillors: Quinn Haider Members: Amit Patel, Doug Forester, Eleanor Shumay, Eugene Fedorowich, Glen Tymiak, Patricia Zaryski, Isabel O'Soup (Via Zoom), Mike Popowich (Via Zoom) |
| Staff | René Richard - Director of Engineering and Asset Management Michael Eger - Director of Planning, Building and Development Carleen Koroluk – Land Use Planner |
| Regrets | Councillors: Randy Goulden Members: Gordon Gendur Staff: |
| Absent | Councillors: Members: Staff: |
| Recording | Shelby Miller |
| Call to order | 7:00 a.m. |

NOMINATION AND ELECTION OF CHAIRPERSON

Michael Eger opened the floor for call of nominations for Commission Chairperson. Eleanor Shumay nominated Eugene Fedorowich. Eugene agreed to let his name stand. There were no further nominations. Eugene was then announced as the Chairperson for 2022 by acclamation.

NOMINATION AND ELECTION OF VICE CHAIRPERSON

Eugene opened the floor for call of nominations for Commission Vice Chairperson. Patricia Zaryski nominated Mike Popowich. Mike agreed to let his name stand. There were no further nominations. Mike was then announced as the Vice Chairperson for 2022 by acclamation.

AGENDA TOPICS

ADOPTION OF AGENDA

| | |
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| Discussion | There were no additional items to add to the Agenda. |
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| Motion 01-2022 | Councillor Haider That the agenda be approved as presented. Carried Unanimously. |
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DISTRIBUTION OF THE 2022 PLANNING AND INFRASTRUCTURE COMMISSION CALENDAR

| | |
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| Discussion | The 2022 Planning and Infrastructure Commission Calendar was distributed. |
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DECLARATION OF CONFLICT OF INTEREST

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| Discussion | None. |
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APPROVAL OF MINUTES

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| Discussion | Minutes of the November 24, 2021 Planning and Infrastructure Commission Meeting were circulated with the agenda package. |
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| Motion 02-2022 | Tymiak That the Minutes of the November 24, 2021 Planning and Infrastructure Commission Meeting be approved. Carried Unanimously. |
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OLD BUSINESS

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| Discussion | None. |
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NEW BUSINESS

1. Discretionary Use – DU01-2022 – 84 Smith Street West – Contractor Facility in C-1 City Centre Commercial Zoning District

| | |
|---------------------------|--|
| Discussion | <ul style="list-style-type: none">- Koroluk presents Development Permit for a contractor facility in C-1 City Centre Commercial Zoning District- Members addressed concerns with possible fumes affecting this area with this type of business.- Administration addressed that the applicant will work with the City Building Official and Fire Department to ensure the paint booth and ventilation system is installed in compliance with the National Fire Protection Association Regulation (NFPA).- Administration noted that air quality complaints are outside of the City's jurisdiction and typically referred to the Ministry of Environment. |
| Motion 03-2022 | Zaryski That the Discretionary Use Application DU01-2022, which proposes a Contractor Facility in C-1 City Centre Commercial Zoning at 84 Smith Street West, be recommended for approval to City Council. Carried Unanimously. |

BUSINESS FROM THE FLOOR

| | |
|------------|---|
| Discussion | <ul style="list-style-type: none">- Eger informs members of the 5yr Residential Tax Abatement for new construction on single and two unit dwellings for private and City owned lots.- Richard provides updates on projects that include Deer Park Clubhouse and York Road.- Eger updates members that the City is expecting a Concept Plan for land across from Sacred Heart High School. |
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NEXT MEETING

| | |
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| | Wednesday, February 23, 2022 at 7:00 a.m. at City Hall Council Chambers |
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ADJOURNMENT

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| Motion 04-2022 | Zaryski That the meeting be adjourned at 7:38 a.m. Carried Unanimously. |
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| Chairperson | Eugene Fedorowich _____ |
| Recording Secretary | Shelby Miller _____ Shelby Miller |

Yorkton Public Library Board

MINUTES

FEBRUARY 9, 2022

4:30 PM

YPL MEETING ROOM

| | |
|------------------|--|
| Attendees | Councillor Chris Wyatt, Lauretta Ritchie-McInnes, Eileen Dellow, Malena Vroom, Melinda Sevilla, Tami Hall, Juanita Brown (joined via Zoom at 5:00 p.m.), Darcy McLeod (Ex-Officio) |
| Regrets | Luba Magis |
| Staff, Recording | Amber Harvey, Branch Manager |
| Call to order | Called to order by Ritchie-McInnes at 4:35 pm |
| Adjourn | 5:59 pm |

Agenda Topics

1. Call to Order

2. Adoption of Agenda

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| Motion 22-001 | Vroom That the agenda be adopted as revised to delete Item 2, Introductions and change Item 5a to 3a. CARRIED |
|----------------------|---|

3. Election of Chairperson and Vice Chairperson

a. Chairperson Election

- i. Ritchie-McInnes passed the Chairperson duties to Branch Manager Amber Harvey.
- ii. First call for Chairperson nominations. **Vroom** nominated Ritchie-McInnes. Ritchie-McInnes accepted the nomination for Chairperson.
- iii. Second call for Chairperson nominations. None received.
- iv. Third call for Chairperson nominations. None received.
- v. Nominations cease and Ritchie-McInnes is acclaimed as Chairperson of the Yorkton Public Library Board.
- vi. Harvey passed the Chairperson duties back to Ritchie-McInnes.

b. Vice Chairperson Election

- i. First call for Vice Chairperson nominations. **Vroom** nominated Brown. Brown accepted the nomination for Vice Chairperson.
- ii. Second call for Vice Chairperson nominations. None received.
- iii. Third call for Vice Chairperson nominations. None received.
- iv. Nominations cease and Brown is acclaimed as Vice Chairperson of the Yorkton Public Library Board.

4. Minutes of the November 10, 2021 Meeting

Minutes from the November 10, 2021 meeting of the Committee were circulated.

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| Motion 22-002 | Hall That the minutes of November 10, 2021 meeting be approved as presented. CARRIED |
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5. Branch Manager Report

The Branch Manager Report submitted by Harvey was reviewed including discussion led by Ritchie-McInnes about the Library resource, Ancestry.ca. This subscription was renewed for 2022 by the Parkland Regional Library Director after being cancelled in December 2020.

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| Motion 22-003 | Vroom That the Branch Manager Report is received and filed. CARRIED |
| 6. Correspondence | |
| No correspondence at this time. | |
| 7. Budget 2022 and Financial Reports | |
| The Branch Manager distributed the December 31, 2021 Financial Report and the February 2, 2022 Financial Report. General discussion on the YPL budget for 2022. | |
| Motion 22-004 | Dellow That the December 31, 2021 Financial Report be received and filed. CARRIED |
| Motion 22-005 | Wyatt That the February 2, 2022 Financial Report be received and filed. CARRIED Discussion took place on the procedure if there came a time that YPL requested additional operating funds. McLeod reviewed the City's process. |
| 8. Business Arising/Updates | |
| a. Ritchie-McInnes shared details of the January 27, 2022 meeting at YPL with herself, Harvey, Tribal Chief Isabel O-Soup, Lisa Washington, and Tonia Vermette in attendance to discuss a permanent way to display an Indigenous perspective at the Library. | |
| 9. New Business | |
| a. Nothing at this time. | |
| 10. Meeting Schedule 2022 | |
| Meeting dates for the YPL Board were set for 4:30 pm in the YPL Programming Room: April 13, June 8, September 14, November 9 | |
| 11. In-Camera | |
| Amber Harvey left the meeting at 5:45 pm. | |
| Motion 22-006 | Vroom That this meeting begin in-camera at 5:46 pm. CARRIED |
| Motion 22-007 | Hall That this meeting to resume in open at 5:58 pm. CARRIED. |
| 12. Adjournment | |
| Motion 22-008 | Vroom That the meeting of the Yorkton Public Library Board be adjourned at 5:59 pm. CARRIED. |

Lauretta Ritchie-McInnes

CHAIRPERSON
Lauretta Ritchie-McInnes

Amber Harvey

RECORDING SECRETARY
Amber Harvey



May 4, 2022

Memorandum to: Members of Yorkton City Council

Re: York Lake Regional Park Authority Board Appointments 2022 - 2023

Having received a request from the York Lake Regional Park Administrator to submit York Lake Regional Park Board Member appointments for the year 2022-2023, I hereby recommend to Council the following:

That pursuant to section 7.E. of the York Lake Regional Park Authority Constitution, the Council of the City of Yorkton approve the following appointments to the York Lake Regional Park Authority Board for 2022-2023:

York Lake Residents Representatives – Rusty Tamblyn(Chairperson), Robin Robinson (Vice-Chairperson), Lawrence Wegner (Secretary), Diane Rusnak (Director), and Jason Popowich (Director).

User Group Representatives – Merv Wasylenchuk (Yorkton Gun Club) Director, Marie Whitney (Yorkton Canoe & Kayak Club) Director, Derek Little (Yorkton Wildlife Federation) Director, and Marlene Schrader (York Lake Golf & Country Club) Director.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mitch Hipsley", with a red digital signature stamp overlaid on it.

Mitch Hipsley
Mayor

Enclosure (1): Letter from York Lake Regional Park Board Member Appointments



York Lake

Yorkton, Saskatchewan, Canada

Box 1166, Yorkton, SK S3N 2X3

Email: admin@yorklake.com

Phone : (306) 782-7080

April 29, 2022

City Of Yorkton
37 Third Ave. N., Box 400
Yorkton, SK S3N 2X3

Re: York Lake Regional Park Board Member Appointments

Dear City of Yorkton,

I am writing to inform you of some recent changes to the board membership of the York Lake Regional Park Authority.

An election for board representatives from the York Lake Residents was held on April 4, 2022 as the terms of Rusty Tamblyn and Diane Rusnak expired this year. There were three nominees and as a result of the vote, Rusty Tamblyn and Diane Rusnak were re-elected. Therefore, the five York Lake Resident representatives for the 2022-23 year are:

- Rusty Tamblyn - Chairperson
- Robin Robinson - Vice-Chair
- Lawrence Wegner - Secretary
- Diane Rusnak - Director
- Jason Popowich - Director

For the User Groups, Bud Leis of the Yorkton Gun Club stepped down. The User Group Nominees were accepted at the AGM and the four User Group representatives for the 2022-23 year are:

- Merv Wasylenchuk (Yorkton Gun Club) - Director
- Marie Whitney (Yorkton Canoe & Kayak Club) - Director
- Derek Little (Yorkton Wildlife Federation) - Director
- Marlene Schrader (York Lake Golf & Country Club) - Director

Pursuant to Section 7.E. of the YLRPA Constitution, the board is requesting that the City of Yorkton, by resolution at your next scheduled council meeting, appoint the above members to the York Lake Regional Park Authority Board. Please let me know if you require anything further.

Sincerely,

 Erin Horvath

Erin Horvath
Administrator
York Lake Regional Park

*All redactions done are pursuant to Section 23 of LAFOIPP

From: open@redactiongroup.ca
To: [Rachael Knudsen](#)
Subject: New Response Completed for Request to Appear Before Council Form
Date: Friday, April 8, 2022 10:07:57 PM

CAUTION: External Email

Hello,

Please note the following response to Request to Appear Before Council Form has been submitted at Friday April 8th 2022 10:07 PM with reference number 2022-04-08-006.

- **First name:**
Tammie
- **Last Name:**
Latimer
- **Committee/Organization name:**
St. Paul's Safety Patrol Team
- **Address:**
[REDACTED]
- **City:**
Yorkton
- **Province:**
Saskatchewan
- **[REDACTED]**
[REDACTED]
- **Name:**
Tammie Latimer
- **Title:**
Teacher Coordinator for Safety Patrol
- **Daytime phone number:**
[REDACTED]
- **Email:**
[REDACTED]
- **Date of request:**
4/11/2022
- **Date of council meeting that the presenter is wishing to attend:**
5/9/2022
- **Topic being presented:**
Importance of Safety Patrollers in our Community
- **Description of request: (Clearly state what is being asked of Council. Provide detailed information about why the information is being presented and the importance to the community)**
May has been declared Safety Patrol Recognition Month by the Saskatchewan Government. We would like to introduce the city council to some of our local safety patrollers and inform them about how the program runs in our city and throughout the province.

[This is an automated email notification -- please do not respond]

CAA SCHOOL SAFETY PATROLLERS PRESENTATION

By St. Paul's Grade 6 Safety Patrollers



INTRODUCTION OF OUR TEAM MEMBERS

- We are the Grade 6 Safety Patrol members at St. Paul's School in Yorkton.



PROVINCIAL RECOGNITION OF SAFETY PATROLLERS

- The month of May is dedicated to acknowledging the 4,100 School Safety Patrollers in Saskatchewan.
- The Honourable Dustin Duncan, Minister of Education has proclaimed May 2022 as CAA School Safety Patrol Month.



HISTORY OF THE SCHOOL SAFETY PATROLLERS PROGRAM

- In 1922, a gentleman by the name of Charles Hayes, President of the Chicago Motor Club, stopped his vehicle to let children cross the street and head to school. While he waited for them to cross, another vehicle was driving too fast and didn't break on time. That is when Hayes felt there should be something done to help prevent any tragedy from ever happening. He thought that training older students to help younger children cross the street safely would be the solution. That is when the School Safety Patrol program was born. After a decade of the program's inception, the motor vehicle and the pedestrian death rate for children dropped significantly.
- This marks 100 years of the School Safety Patroller Program.
- Over the years, millions of youthful volunteers have served as School Safety Patrollers in 30 countries. CAA Saskatchewan began to support the program in 1951. Today approximately 4,100 patrollers take part in 150 schools around the province. CAA supplies training materials, supplies, stop paddles and reflective vests free of charge to each registered school.

WHAT THE SAFETY PATROLLERS DO TODAY

- Patrollers help keep Saskatchewan school zones safe by helping schoolmates cross streets safely to and from school.
- Patrollers gain confidence, learn responsibility, and leadership through the program. These traits enable patrollers to become safety ambassadors to students and community members.
- All CAA School Safety Patrollers must:
 - Look, act and be alert.
 - Report for duty on time.
 - Always set a good example.
 - Know and perform duties faithfully.
 - Never stop or direct traffic.



SAFETY PATROLLER TRAINING

- All CAA School Safety Patrollers must receive training from law enforcement and school safety patroller coordinators at the beginning of each school year.
- Patrollers are also required to pass an exam regarding road safety and patroller procedures as well as have parent approval to participate in the Safety Patroller program.



THE SAFETY PATROLLER'S PLEDGE

The Patroller Pledge outlines the expectations for Patrollers and provides a reminder of their responsibilities:

I promise to do my best to:

- Look, act and be alert
- Report for duty on time
- Know and perform my duties faithfully
- Always set a good example
- Never stop or direct traffic
- Strive to prevent injuries
- Earn the respect of fellow students
- Report dangerous practices
- Follow the direction of my teachers and patrol officers

YORKTON SCHOOLS WITH SAFETY PATROLLER PROGRAMS

The following schools in Yorkton have registered their school Safety Patrollers with CAA Saskatchewan:

Dr. Brass Elementary School

M.C. Knoll School

St. Alphonsus School

St. Mary's School

St. Michael's School

St. Paul's School

Yorkdale Central School



WHY SAFETY PATROLLERS ARE IMPORTANT TO OUR COMMUNITY

- Being a School Safety Patroller develops responsible, punctual, dedicated, enthusiastic, self-confident leaders.
- Being a School Safety Patroller also develops a student's understanding of the importance of serving others.
- Future community leaders need these traits to be effective members of their communities.



HOW THE CITY COULD SUPPORT THE PROGRAM

- The city of Yorkton could support the local school's Safety Patroller programs in the following ways:
 - Encourage the School Community RCMP Liason Officer to become more actively involved in training and supporting the Safety Patroller programs currently registered with CAA Saskatchewan.
 - Say "Thank You" to the local Safety Patroller students and school coordinators when you see them on duty at their schools.
 - Provide tokens of appreciation like gift cards, ice cream or hats.
 - Speak with other communities about how they support their local school's Safety Patroller programs.



THANK YOU!

- Safety Patrollers are extremely dedicated to their patrolling duty. They are out on the job in all kinds of weather to ensure that the children cross the street safely when leaving their school. The participation of the School Safety Patrol Program wouldn't be what it is today if we didn't have teachers, parents, law enforcement, sponsors, and numerous volunteer coordinators to run the program efficiently.
- Thank you to everyone for listening attentively to our presentation this evening.
- Do you have any questions for our team?

▪ ***“No Safety, Know Pain. Know Safety, No Pain.”***



WIN YOUR DEER PARK GOLF COURSE SEASON PASS

All season passes purchased by 5:00 pm
on May 15th, 2022 will be entered to win.
Draw is for 1 Junior and 1 Adult Season Pass!

For a maximum of an adult season pass.
Season passes are available at the temporary pro shop trailer on site beginning Tuesday, April 19th

HWY 52, Yorkton, SK | 306-786-1711 | 1-877-786-1711
www.golfdeerpark.com | abs golf

BOOK A TABLE AT



Yorkton's LARGEST INDOOR RUMMAGE SALE MAY 21st, 2022

Gallagher Centre Curling Rink - 9:00 am to 4:00 pm

Book your table by May 13th at the Gallagher Centre SecurTek
Guest Services or online at www.yorkton.ca/rummagesale.

For more information call 306-786-1740 or email gallaghercentre@yorkton.ca



www.gallaghercentre.com

JOIN OUR TEAM!

Archives & Community History Assistant,
SUMMER STUDENT - RECREATION & COMMUNITY SERVICES

Apply today:
www.yorkton.ca/employment

JOIN OUR TEAM!

Seasonal Labourer
DEER PARK GOLF COURSE

Apply today:
www.yorkton.ca/employment

PUBLIC NOTICE

1. Rezone 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional and
2. Consider a proposed Self Storage Facility as a Discretionary Use on the same property



Legal Description: Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578
Civic Address: 129 & 135 Myrtle Avenue

Details: City of Yorkton Council will consider:

1. Proposed Bylaw No. 9/2022, to amend the Zoning Bylaw by rezoning both 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional; and
2. A Discretionary Use application to allow for a Self Storage Facility on the same property. The Discretionary Use cannot be considered for approval if the rezoning is not approved. Council approval of the Discretionary Use will enable staff to issue Development and Building Permits, subject to all applicable regulations.

Information: You can view this notice online at www.yorkton.ca under the New and Notices section on the home page.

Questions regarding the application may be directed to:

Michael Eger, Director of Planning, Building & Development
Phone: (306) 786-1758
Email: megeer@yorkton.ca

Public Hearing: City Council will hear all persons who are present and wish to speak to the application and all written submissions will be read verbatim unless the submitter is in attendance to speak on the submission, on Monday, May 9, 2022 at 5:00 pm in City Hall Council Chambers, Yorkton, SK.

If you wish to provide written comments for Council's consideration, they must be submitted by 9:00 a.m. on Wednesday, May 4, 2022. Written submissions must be directed to:

Jessica Matsalla, Director of Legislation & Procedures
In Person: 37 Third Avenue North, Yorkton, SK
Via Mail: Box 400, Yorkton, SK S3N 2W3
Via Email: jmatsalla@yorkton.ca

GENERAL INQUIRIES: 306-786-1700

Mayor's Office.....306-786-1701
After Hours Emergency.....306-786-1760
Access Communication
Water Park.....306-786-1740
Yorkton Airport.....306-786-1730
Building Services.....306-786-1710
Bylaw Control.....306-786-1725
Central Bookings; Indoor & Outdoor
Facility Rentals.....306-786-1740
City Clerk.....306-786-1717

City Cemetery.....306-786-1750
City Manager.....306-786-1703
City RCMP.....306-786-2400
Engineering Department.....306-786-1710
Environmental Services.....306-828-2470
Fire Hall.....306-786-1795
Gallagher Centre.....306-786-1740
Gloria Hayden
Community Centre.....306-786-1750

Parks, Playgrounds, trees,
Outdoor Spaces.....306-786-1750
Program Registrations.....306-786-1740
Property Sales.....306-786-1730
Public Works.....306-786-1760
Recreation & Community
Service.....306-786-1750
Tax Department.....306-786-1736
Water Billing Department.....306-786-1726

From: [REDACTED] Redacted pursuant to Section 23 of LAFOIPP
To: [Jessica Matsalla](#)
Subject: Memorandum to Mondays proposed bylaw
Date: Tuesday, May 3, 2022 3:31:41 PM
Attachments: [Zoning bylaw memorandum.pdf](#)
Importance: High

CAUTION: External Email

Good Afternoon Jessica!!

Please see the attached memorandum & include it with the materials for council review on the rezoning bylaw of 129 & 135 Myrtle.

If you have any questions, please feel free to contact me. I will also attend the Monday May 9th meeting if council has any questions or further information should arrive.

Have a Great Day!!

Terry Kashuba

[REDACTED] Redacted pursuant to Section 23 of LAFOIPP

Memorandum of Opposition to Proposed Rezoning of 129 & 135 Myrtle Ave Bylaw No 9/2022

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Public Notice - Proposed Rezoning of 129 & 135 Myrtle Ave

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Posted on Tuesday, April 12, 2022

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The City of Yorkton will consider:

1. Proposed Bylaw No. 9/2022 to Amend the Zoning Bylaw by Rezoning both 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional; and
2. A Discretionary Use application to allow for a Self Storage Facility on the same property. The Discretionary Use cannot be considered for approval if the rezoning is not approved. Council approval of the Discretionary Use will enable staff to issue Development and Building Permits, subject to all applicable regulations.

Questions regarding the application may be directed to **Michael Eger**, Director of Planning, Building & Development, at 306-786-1758.

A Public Hearing will be held on Monday, May 9, 2022 at 5:00 pm in City Hall Council Chambers, Yorkton, SK. City Council will hear all persons who are present and wish to speak to the application and all written submissions will be read verbatim unless the submitter is in attendance to speak on the submission.

If you wish to provide written comments for Council's consideration, they must be submitted by 9:00 am on Wednesday, May 4, 2022. Written submissions must be directed to **Jessica Matsalla**, Director of Legislation & Procedures (City Clerk).

The opponent Terry Kashuba residing at 139 Myrtle Ave Yorkton, Saskatchewan hereby opposes the proposed bylaw No 9/2020 on the following grounds:

1. Sufficiency of Notice - Requirements of Public Notice has not been provided. The above notice is not of enough sufficiency to make an informed decision as to the size, nature or scope of the build requiring the amendment or to the Bylaw being amended.
2. The wording or draft of the amendment is not included in the public notice in which an informed decision can be made. Amendments must also conform to the Cities Act, Planning and Development Act & any constating legislation.
3. There is no site plan grading or runoff plan so that an informed decision of the building can be considered in relation to surrounding buildings in which a hazard or depreciation may be created as described in Planning & Development Act. Which would defer to responsibilities as described in 87.1(b) (iv) (A) (B) of the Cities Act attached below:

(b) **"wrongdoing"** includes any of the following committed by a council, member of council or city employee:

- (i) a contravention of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;
- (ii) a contravention of any city bylaw or policy;
- (iii) a contravention of the code of ethics, rules of conduct or procedures applicable to every member of council imposed by this and any other Act and by council;

(iv) an act or omission that creates:

- (A) substantial and specific danger to life, health or safety of persons; or
- (B) a substantial and specific danger to the environment;

4. In review of City of Yorkton Zoning Bylaw & its constating legislation:

1.2.1

The purpose of this Zoning Bylaw is to regulate the use of land and the locations and use of buildings and other structures in the City of Yorkton so as to provide for the amenity of the City and the health, safety and general welfare of the inhabitants.

1.2.2

In all cases, this Zoning Bylaw is subject to the policies contained in the Development Plan and to the staging schedule of the Plan. No new zoning amendment will be permitted in any district except in accordance with those policies and the development staging schedule.

3.5.4

All Discretionary Use applications are required to be advertised once per week for two (2) successive weeks in a newspaper circulating within the City prior to final approval by Council. The first notice shall be published at least ten (10) days prior to the date set by Council for a public hearing regarding the application. In addition the affected property shall be posted with a public notice detailing the proposed use of the property at least ten (10) days prior to the date set by Council for a public hearing regarding the application. Public notice posted on the property shall be visible from the street frontage, be not less than 28 centimeters by 43 centimeters in size and located not more than 1 meter back of the front site line.

3.5.5

All landowners within 60.0 metres (200 feet) of the site for which application is being made shall be notified by ~~registered~~ regular mail or personal service of the application, and the date on which Council will hold a public hearing regarding the application.

3.7.6

All amendment applications are required to be advertised once per week for two (2) successive weeks in a newspaper circulating within the City prior to third reading by Council. The first notice shall be placed no earlier than twenty-one (21) days prior to the date set by Council for a public hearing regarding the proposed amendment.

3.7.7

If the amendment involves the rezoning of land to a different zoning district, all land owners within 60 metres of the site for which application is being made shall be notified by ~~registered~~ regular mail of the application, and the date on which Council will hold a public hearing regarding the application.

3.7.8

All public notification shall contain the following information:

- A) the legal description and civic address of the land which is the subject of the application (if applicable);
- B) the purpose of the proposed amendment;
- C) one or more places where a copy of the proposed amendment may be inspected by the public during reasonable hours;
- D) the date, place, and time that Council will hold a public hearing on the proposed amendment; and,
- E) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing.

5. I did not see any of the notices as indicated by the Zoning Bylaw above nor did I receive a letter which I also canvassed with my neighbours. I only found the above notice by web search after contacting the city for follow up. I looked through 4 weeks of local newspapers & could not find the above mentioned notice. I am not aware of any notice placed on site.

6. **This proposed amendment contradicts the Community plan objective as stated within - increasing housing density within the proposed zones & utilizing existing zoning to increase commercial activities Community Plan 4.4.4.(6).** With a quick review of the available property already zoned for such a project there is confusion as to why with the amount of land already zoned & available that an amendment would need to be considered? If it is the Community Plan that is being amended that requires Ministerial approval under 39 & 40 of the Planning and Development act.

Municipality bound by plan

40(1) From the time that an official community plan or any amendment takes effect:

(a) it is binding on the municipality and all other persons, associations or other organizations; and

(b) no development shall be carried out that is contrary to the official community plan.

(2) The adoption of an official community plan does not commit the municipality, any person, association or organization or any ministry or agency of the Government of Saskatchewan to undertake any of the projects outlined or proposed in that plan

7. **Although it is vital to the economic health of our city, heavy industrial development is often incompatible with land uses such as residential and high-density commercial, and must be physically separated in the interest of public health.** (Section 3.1.9 of the Yorkton Community plan)

Referring back to above paragraph 3 in relation to the Cities act, the proposed amendment is in direct conflict of both as well as other legislation, which also raises liability issues going forward for both City & Councillors.

Planning and Development Act

Zoning bylaw required

34(1) If a council has not passed a zoning bylaw pursuant to this Act or any former Act, the council, in adopting an official community plan, shall, by separate bylaw, pass a zoning bylaw in accordance with this Act.

(2) The council shall ensure that the municipality's zoning bylaw is consistent with its official community plan, and any part of a zoning bylaw that is inconsistent with the official community plan has no effect insofar as it is inconsistent.

8. In review of this matter I contacted Swift Current, Battleford, Regina, and Saskatoon city council & administration for their policy & position on similar projects & there is a general consensus that they simply will not entertain a project such as this as the liability is simply too high..
9. In review of the Zoning Bylaw & Community Plan the structure at 147 Myrtle Ave is in violation of the zoning bylaw as to materials & extent of facing covering of those materials as well as setbacks. This is not something I believe anyone wants to repeat.

4.34.2

Proposed design of buildings shall be evaluated on the basis of harmony with site characteristics and nearby buildings, including historic structures in regard to height, texture, color, roof characteristics and setbacks. The use of exterior wall façade materials shall be in compliance with the maximum percentages permitted in the following table regulating use of exterior wall façade materials. The application of these standards should promote integration and mixture of materials where more than one material is used in a building. If only one material is used, architectural detailing and articulation, massing, texture and form must be introduced into the building's façade design. An alternative exterior material may be approved if it is determined it is equivalent or better than the material permitted by this Bylaw.



10. The absence of setbacks has left snow to be placed on the sidewalk & street. In consideration of the amount of snow on the sidewalk, (The sidewalk) snow plow just avoided the area by using our driveway to maneuver onto the street. This created a hazard as adults & children walking from Dr. Brass School or downtown core had to walk on a very busy roadway.
11. The Hazard is elevated when transport trucks park on the street, which is daily. You have very young children trying to navigate around the truck, quite unsafely while also contending with passing traffic. **Basically being forced to play (chicken) with vehicles.** We have seen many close calls & are aware the city manager gets numerous complaints. Its only time before a tragedy occurs. With the addition of loss of sight lines due the proposed development & you increase the danger to inevitability.



This shows the site line before & then with an 8 foot wall. Both traversing & engaging traffic response times is diminished greatly

12. A hazardous situation is created not only for all using the sidewalk, walking or driving now add in this situation which happens regularly. School children having to walk on the road to avoid the snow piles then try to sneak around the trailers while dodging traffic as seen in the following pictures. If fast moving traffic as there is regularly on Myrtle view is obstructed as shown in paragraph 11 above, it is a hazard waiting for a tragedy with the city & council bearing the liability which with legislative amendments & precedent extends past term of office.



13. The city of Yorkton Zoning Bylaw sets out a number of Definitions which follow below:

Section 2.1

GENERAL DEFINITIONS

Metal Walls

Includes profiled panels, deep ribbed panels and concealed fastener systems. Exterior finish shall be film laminated or baked on enamel painted to the wall manufacturer's standards.

- a) The use of corrugated metal, plastic, or fibreglass panels is prohibited.
- b) The use of galvanized, aluminium coated, zinc, aluminium coated, or unpainted exterior metal finish is prohibited.

Nuisance

Anything that in the opinion of Council interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

Offensive or Objectionable

When used with reference to any use or development of any land, building or structure, means a use or development which, from its nature or from the manner of carrying on same, creates or liable to create, by reason of noise, vibration, smoke, dust or other particulate matter, odor, toxic or noxious matter, radiation hazards, fire or explosive hazards, heat, humidity or glare, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other materials, a condition which, in the opinion of Council, may be or may become hazardous or injurious as regards health or safety or which adversely affects the amenities of the neighbourhood or interferes with or may interfere with normal enjoyment of any land, building or structure.

Sight Triangle

The portion of land being bounded by the street lines for a distance of six (6)metres from their common point of intersection and the diagonal which joins the two extreme points.

Setback

The distance between the street line and the building line.

Setback Line

The line that is established a minimum horizontal distance from the lot line and beyond which the building or part of a building is not permitted to extend toward the lot lines. All setbacks from public streets shall be measured from the proposed right-of way width as shown on the adopted survey.

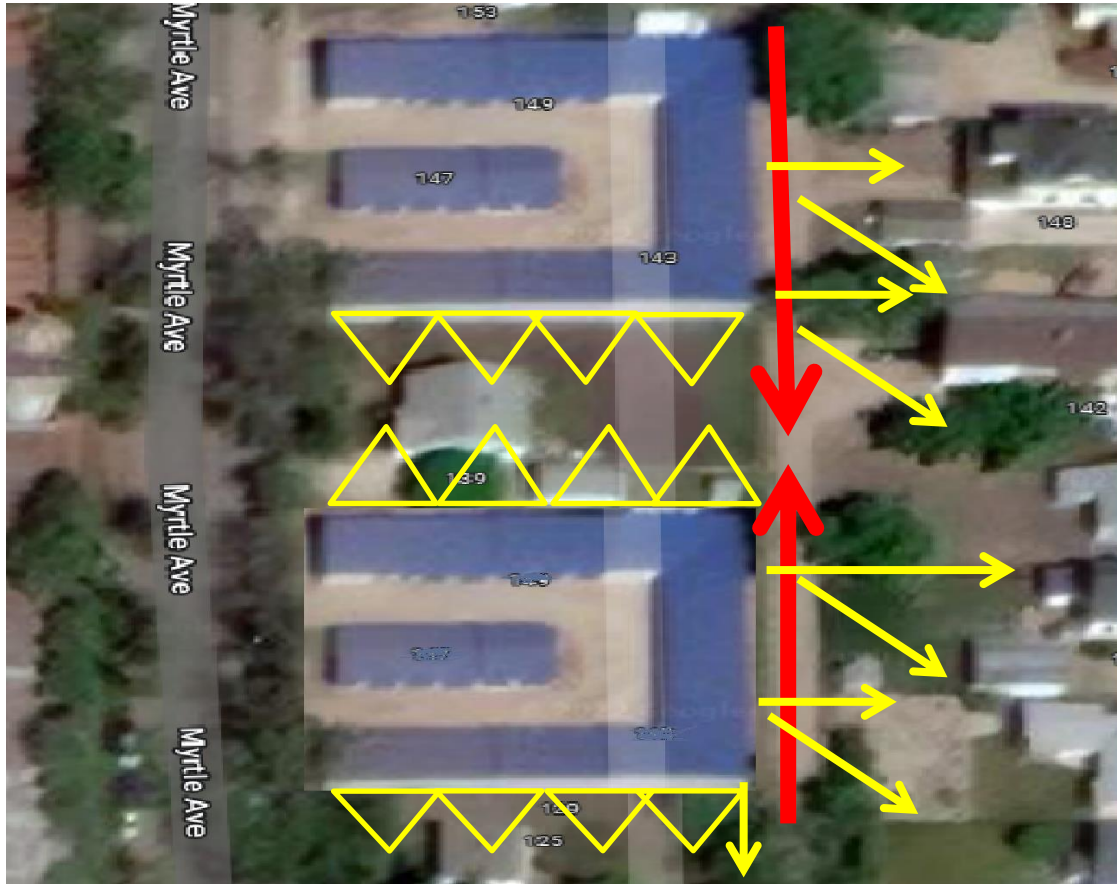
Site Plan, Minor

Any development of one or more lots which:

- a) Does not propose the new construction of or any addition to a structure or building which will result in the building coverage of a property involved to be in excess of 465m² (5,000 square feet).
- b) Does not require disturbance of more than 930m² (10,000 square feet) of land area.
- c) Does not include off-street parking for more than 15 vehicles.
- d) Contains the information reasonably required in order to make an informed determination whether the requirements established by this Bylaw for the approval of a minor site plan have been met.
- e) Does not include commercial or industrial development on more than three acres.

14. There has already been reference as to the definitions above **Metal Walls, Nuisance**, Now we must address, **Offensive or Objectionable** specifically:

, radiation hazards, fire or explosive hazards, heat, humidity or glare, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other materials, a condition which, in the opinion of Council, may be or may become hazardous or injurious as regards health or safety or which adversely affects the amenities of the neighbourhood or interferes with or may interfere with normal enjoyment of any land, building or structure.



15. This is just a presumption but if the proposed structure maintains a similar footprint then it is reasonable to conclude that both 139, 125 Myrtle as well as 142,138,134,130,126 Betts will also be directly affected. I will start with 142,138,134,130,126 Betts as they will not only get the radiant glare & heat reflection shown in yellow but based on the setback, a dam will form shown in red & as was seen this last winter in the lane behind 143 snow became trapped & drifted making access to the properties impossible even requiring extraction using rescue services. Also as per the recent Supreme Court of Canada (SCC) ruling there is an absolute liability on the part of the city for that obstruction or any resulting damages as a result. The runoff from that melting snow usually flows into 135 Myrtle but with an obstruction it will flow backward into 142, 138, 134, 130,126 Betts or more likely saturate the roadway costing the city infrastructure dollars to maintain. The existing site is open 24/7 which often residents are woken by people accessing having a negative impact on quality of life of residents..& increasing illicit activity.
16. 125, 139 Myrtle Ave will be in what Environmental Protection calls a convection zone which is Human-made refraction of heat, light or air & is listed as a health hazard. 125 Myrtle Ave hasn't seen it yet but 139 has peeled the paint right off the siding increased temperature in shade by 14 degrees, scorched vegetation & melted blinds & that was just with 1 reflective wall. With 2

walls they reflect the radiant heat off each other increasing the heat continuously within the convection zone. This is of course a health & safety issue.

17. The **sight triangle** which allows for safety in traversing as well as impacting traffic flow:



The driveway of 139 Myrtle as shown in green will be in a dangerous position as from North cars would have less than 8 feet of stopping distance on a clear line of sight if no vehicles are parked on the street This is extended to 14 feet on the opposite side of the roadway. This is a development limiting concern as addressed in 19(3)(a) & 45 of the Planning and Development Act.

Purposes of zoning bylaw

45 The purposes of a zoning bylaw are to control the use of land for providing for the amenity of the area within the council's jurisdiction and for the health, safety and general welfare of the inhabitants of the municipality.

18. As seen from the pictures even the setback according to the Community Plan contradicts the Zoning Bylaw on the 1st project. I have not seen a bylaw permitting the setback which was implemented as it would be in conflict of the Zoning Bylaw & Community Plan:

Minimum Setback Requirements USE FRONT SIDE REAR

28.2.2.1 Essential Public Services and Utilities No setback requirements

28.2.2.2 Public Parks and Playgrounds No setback requirements

28.2.2.3 All other uses No setback requirements provided that all other requirements of this bylaw have been met.

28.2.2.4 Any Site Abutting a Residential District All sites which abut a residential district shall have a minimum yard setback requirement equal to the setback requirement for the adjacent residential use

28.2.2.5 Any Residential Dwelling Units All dwelling units with walls having habitable rooms which face the side yard shall have a minimum side yard of 9.0m (Where the side yard abuts a street or lane, half of the street or lane width may be used in calculating the 9.0m).

19. I have attached the Zoning Bylaw to follow & highlighted the specific areas which are relevant to the issue as shown in the following picture of the 1st project which hasn't been complied with:



5.2.1

Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development and maintenance standards:

A) Continuous and raised poured concrete curbing of not less than 150mm in height shall be provided adjacent to all parking lot edges, traffic islands, and required landscaped areas. In addition, concrete curb stops shall be placed at the back of each parking stall that is located adjacent to a curb, to ensure that vehicles do not overhang boulevards, sidewalks, or required landscaped areas. Curbing shall also be required to clearly demarcate an internal roadway and the required portion of driveway leading to an internal roadway, aisle, ramp, parking space or loading space.

B) All parking and loading spaces shall have adequate and appropriate storm water drainage and storage facilities.

C) Hard-surfacing shall mean the provision of a durable, dust-free, properly drained hard surface constructed of concrete, or asphalt. Crushed, compacted gravel or rock will not be considered to meet the requirements for hard-surfacing. Hardsurfacing and curbing of off-street parking spaces shall conform to the following:

i. In all *residential districts*, every off-street parking and loading space and the access thereto, including the whole area contained within the municipal land to which the curb-crossing permit applies, shall be hard-surfaced if the number of parking spaces exceeds two (2) and if the access thereto is from a street or lane which is hard-surfaced.

ii. In all *commercial and institutional districts*, every off-street parking and loading space and the access thereto, including the whole area contained within the municipal land to which the curb-crossing permit applies, shall be hard-surfaced if the access thereto is from a street or lane which is hardsurfaced.

iii. In all *industrial districts*, every off-street parking and loading space and the access thereto, including the whole area contained within the municipal land to which the curb crossing permit applies, shall be hard-surfaced if the access thereto is available from a street or lane which is hard-surfaced, or if such area lies in front of the principal building, or under any other circumstances at the discretion of the Development Officer. Any off-street parking spaces at the rear or the side of the principal building need not be hard-surfaced, unless at the discretion of the Development Officer it is

deemed necessary, and where it is not necessary it shall be of such surface as will minimize the carrying of dirt or foreign matter onto the street.

iv. At the discretion of Council, if the street or lane from which access is available to any required parking space is hard-surfaced after the time at which the parking space is provided or required, the person responsible for

the construction or maintenance of such parking space shall forthwith hardsurface the parking space, the access thereto and the whole area contained within the municipal land to which the curb crossing permit applies within one year of the completion of the hard-surfacing of the street or lane.

v. The provision of continuous and raised poured concrete curbing and hardsurfacing of off-street parking areas shall be completed within 3 years of the issuance of a Development Permit for developments defined as Minor Site Plans, and shall be completed within 1 year of the issuance of a Development Permit for developments defined as Major Site Plans. The timing requirements shall only apply to those developments with an active Development Permit, as per Section 3.2.14 of the Bylaw.

D) All parking areas providing five or more parking spaces shall be lighted in accordance with the provisions specified in Section 4.28 of this Bylaw.

E) In developments where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land used or intended to be used for residential purposes

20. The Zoning Bylaw specifically has provisions for the inclusion of Landscaping & although there is no Landscaping on the 1st project. I am at a loss to understand how that was approved?

6.2.1

The provision of landscaping, in accordance with this Bylaw, shall be a condition of a development permit issuance for all types of development in all zoning districts, with the exception of single-detached, semi-detached, and secondary suite housing, unless the said are proposed planned subdivisions which create more than four new parcels of land.

6.2.2

Every Application for proposed development shall include a landscape plan. The Development Officer shall not issue a development permit unless such a plan is provided, or unless pursuant section 6.3.2, the Development Officer has deemed that a Waiver from Landscape Plan or a particular Landscape Plan requirement is appropriate. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to Landscaping being installed.

6.2.3

If the required landscaping plan does not, in the opinion of the Development Officer, provide for an adequate or suitable degree of soft or hard landscaping necessary to enhance the visual amenity of the site or provide a visual screen where required by this Bylaw, then a development permit shall not be issued.

6.2.3

If the required landscaping plan does not, in the opinion of the Development Officer, provide for an adequate or suitable degree of soft or hard landscaping necessary to enhance the visual amenity of the site or provide a visual screen where required by this Bylaw, then a development permit shall not be issued

6.3.1

The Landscape Plan to be submitted in conjunction with any Development Application shall be drawn as follows:

A) At a scale of one inch equals fifteen metres (1":50') for a tract up to forty acres in size; one inch equals thirty metres (1":100'), for a tract between 40 and 150 acres, and one - inch equals sixty metres (1":200') for a tract 150 acres or more.

B) A north arrow, date, scale, name of Applicant and those who prepared plan.
 C) The Block(s) and Lot(s) of the proposed development site and properties within a 60 metre (200') radius;
 D) The property lines, and dimensions of the Site, including setback requirements;
 E) The location of buildings, parking areas, building perimeters, and landscaping on adjacent sites;
 F) All existing and proposed streets, lanes, driveways, and vehicular entrances within a 60 metre (200') radius of or the proposed development;
 G) Parking lots and curbing including a clear delineation of parking spaces and total number;
 H) Surrounding amenities including sidewalks, street furniture, and boulevard trees;
 I) Overhead, surface and underground utilities, and limits of easement;
 J) The size, height, location and arrangement of all existing and proposed buildings, and structures;
 K) Building entrances, porches, decks, steps, walkways, hard-landscaping features, lighting, fencing, recreational facilities and garbage collection areas;
 L) Existing and proposed contour lines at ½ metre intervals inside the tract, and within 60 metres (200') of any paved portion of the tract to indicate site drainage;
 M) The location of existing and proposed trees, shrubbery, bushes, ground cover, perennials, annuals, seeded and/or sodded areas, mulch, and other soft-landscaping elements shall be illustrated on the plan. All plantings shall be differentiated between existing and proposed, and labeled or abbreviated by their common or botanical name. Sizes shall be graphically illustrated by the spread or canopy. Trees to be removed or relocated by the proposed construction with a caliper greater than 101mm (4 inches) shall be identified;

6.3.2

The Applicant may be granted a *Waiver* from providing a Landscape Plan or particular requirements of a Landscape Plan, at the discretion of the Development Officer, provided that either:

- i. The information provided by the Applicant is sufficient to show that the Landscaping provisions of the Bylaw can be met without the submission of a full Landscape plan.
- ii. The development is of such a minor nature that a full Landscape Plan is unwarranted.
- iii. The site is already sufficiently landscaped, such that the proposed development or alteration will have no significant visual or functional impact on the site or its surroundings.
- iv. There are special or unique circumstances associated with the site, which would warrant landscaping unfeasible.

21. This specifically applies as there are 2 pre-existing residential properties which it will abut:

6.6.2 – BUFFERS AND SCREENING

A) Where a proposed non-residential development will abut a pre-existing residential use or district, a landscaped buffer is required to safeguard the residents of the community.

Where no such buffer exists the Applicant shall provide it. Buffer areas shall be measured horizontally and be either perpendicular to straight lot and street lines, or radial to curved lot and street lines. Buffers shall be maintained and kept clear of all debris, rubbish, weeds, and tall grass. No above-surface structure, storage area, parking lot, or other activity, shall be permitted in the buffer area, and all buffer areas shall be planted and maintained with grass or ground cover, together with a dense screen of trees, shrubs, or other plant materials, meeting the following requirements:

- i. Proposed Highway Commercial and General Commercial developments shall provide a minimum of a 15 metre (50') landscaped buffer between residential uses and districts.
- ii. Proposed Industrial Developments shall provide a minimum of a 30 metre (100') landscaped buffer between residential uses and districts.
- iii. At a minimum, landscaped buffers to mitigate adverse impacts of incompatible uses shall include a double alternating row of trees planted 3 metres (10') on

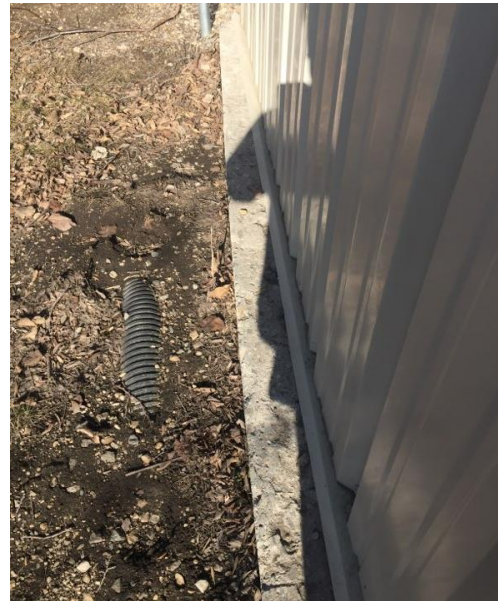
center. Such spacing may be adjusted based on site conditions at the discretion of the Development Officer. Additional shrubs, plant material, berming, and decorative fencing may be incorporated at the discretion of the Development Officer.

B) Unsightly elements including utility kiosks, utility meters, garbage containers, garbage compounds, storage and loading areas should be screened from view from on-site residential uses, adjacent properties, streets, walkways, and public open space. Such screen planting shall be maintained to sufficiently obscure the view of such elements from the ground to a height of 1.85 m (6').

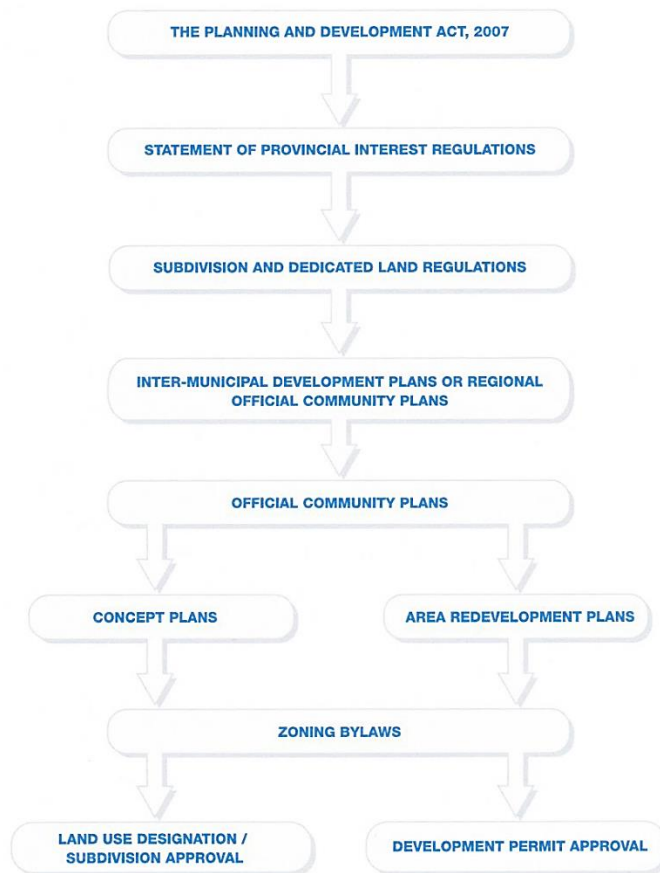
C) Buffering shall be located around the perimeter of any site, which abuts a major highway or railway line. Such buffering shall serve the purpose to minimize headlights of vehicles, noise, and light from structures. Buffering may consist of fencing, evergreens, shrubs, bushes, deciduous trees, or combinations thereof to achieve the stated objectives.

D) Where development abuts a major highway that does not contain curbing, the Applicant shall be responsible for the grading, seeding, filling, planting, and maintenance of ditches and areas adjacent the public right-of-way. The degree of landscaping required shall, at the discretion of the Development Officer, be based upon the unique features of the site and the surrounding area.

22. In submitting specifically to the buffer. The 1st project had no buffer. The foundation was placed directly on & exceeding the property line. This has caused numerous issues as not only creating an unsanctioned or agreed easement as to drainage but has also created a dead zone where as indicated in the Zoning Bylaw trees & vegetation removed are to be replaced. As discussed in paragraph 14 this is not a possibility due to refractive radiation. As seen in the picture below the drainage pipe extends 22 inches into the neighbouring 139 Myrtle property.



23. The Official Community Plan & the interactive Yorkton Zoning Bylaw are subservient to the Planning & Development Act which as stated also works in cooperation with the Public Health Act, Environmental Protection Act, numerous Water security acts & regulations, Heritage Property Act, Cities Act & Regulations as well as Federal acts & regulations & now both Federal & Provincial Statements of interest to mention a few but the 1 commonality in all is the weight of Public & personal safety & Health in relation to any consideration for development as Safety & Health take precedent over any development.



22. The Planning and Development act does provide for an appeal & instructions of note in deciding the issue which I would submit to council as a template in making their decision. I would submit that as shown above & examined in 221 below there is conflict with the community plan, the land use & intensity as described in the zoning bylaw & in the same is inconsistent with provincial policies & would be further violation of both (i)(ii)(iii) below :

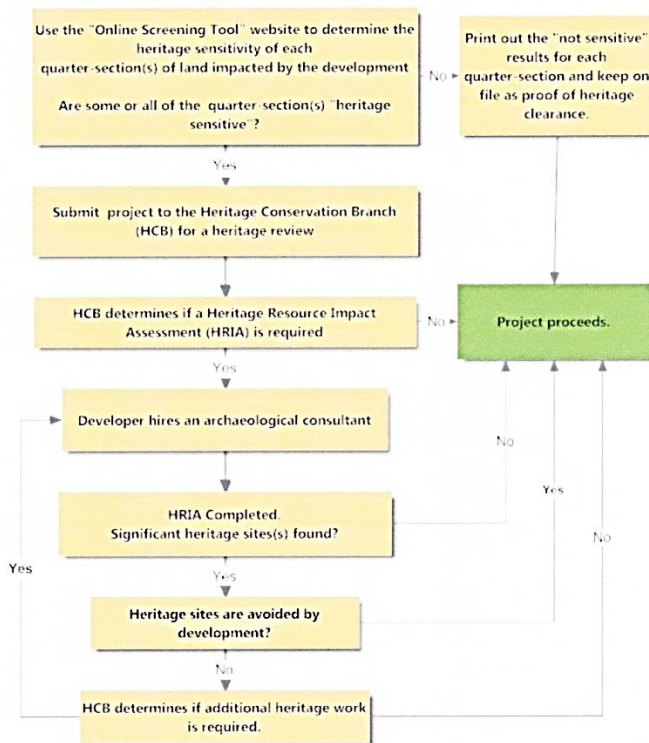
Determining an appeal

221 In determining an appeal, the board hearing the appeal:

- (a) is bound by any official community plan in effect;
- (b) must ensure that its decisions conform to the uses of land, intensity of use and density of development in the zoning bylaw;
- (c) must ensure that its decisions are consistent with any provincial land use policies and statements of provincial interest; and
- (d) may, subject to clauses (a) to (c), confirm, revoke or vary the approval, decision, any development standard or condition, or order imposed by the approving authority, the council or the development officer, as the case may be, or make or substitute any approval, decision or condition that it considers advisable if, in its opinion, the action would not:
 - (i) grant to the applicant a special privilege inconsistent with the restrictions on the neighbouring properties in the same zoning district;
 - (ii) amount to a relaxation so as to defeat the intent of the zoning bylaw;
 or
 - (iii) injuriously affect the neighbouring properties.

23. With consideration to all the above there is a question as to Heritage as well under the Heritage property Act a hold may have to be placed so as to allow the Archivist & the Heritage conservation branch the time needed as Myrtle is a Heritage corridor but further there are some outstanding questions as to the occupants of 135 Myrtle Ave.

The Process of Reviewing Developments for Heritage Concerns



For more information, contact



Heritage Conservation Branch
2nd flr, 3211 Albert Street
REGINA SK S4S 5W6
Bus: (306) 787-2817
Email: arms@gov.sk.ca

24. Although important & relevant as a note, reference to court precedent could exceed volumes of pages so as in reference to Public Notice I would refer to *Hoffman vs Regina Beach* where notice must be provided informing the recipient of nature & draft of the proposed bylaw. In reference to contradictions in community plan *SCC Vavilov & SCC Shell Canada vs Vancouver*, also *Kingfisher Inn*. In reference to safety & accountability of decision makers *RJS Holdings vs London Drugs*, *Ledco Dev vs Saskatoon*, *Mowi Canada west Inc. FC*, *SCC Nelson vs Marchi*.

Respectfully submitted for Council's consideration in the above stated matter.

I am available to answer questions & will provide any further updates May 9th if needed.

Sincerely

Terry Kashuba

REPORT TO COUNCIL

| | |
|--|--|
| TITLE: Bylaw No. 9/2022 – Amend Zoning Bylaw No. 14/2003 by Rezoning 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional 2nd & 3rd Readings | DATE OF MEETING: May 9, 2022 |
| CLEARANCES: | REPORT DATE: May 4, 2022 |
| | ATTACHMENTS: 1. Bylaw No. 9/2022 Bylaw to Amend Zoning Bylaw No 14/2003 2. April 11, 2022 Council Report |
| Written by: Michael Eger – Director of Planning, Building & Development Michael Eger | |
| Reviewed by: Jessica Matsalla - City Clerk Jessica Matsalla | |
| Approved by: Lonnie Kaal - City Manager Lonnie Kaal | |

Summary of History/Discussion:

Administration's review and analysis of the proposed Bylaw was presented to Council at the April 11, 2022 meeting, where Council granted 1st Reading of the Bylaw and authorized Public Notification (see Attachment 1).

Planning and Infrastructure Commission

The application was referred to the Planning and Infrastructure Commission at the April 27, 2022 meeting. The Commission reviewed the application and unanimously carried the following motion:

That Bylaw No. 9/2022, to amend Zoning Bylaw No. 14/2003 by rezoning 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial – Industrial Transitional, be recommended for approval to City Council.

Public Notice:

The proposed bylaw was advertised and circulated in accordance with the City's public notification requirements, including advertisement in the local paper, at City Hall and on the City website, and a direct mail out to property owners within 75m (250 ft) of the subject property.

As of the date of this report, Administration had received telephone and email inquiries from a neighbouring resident in response to both the rezoning and the subsequent Discretionary Use application. The resident raised questions and apparent concerns relating to: depreciation of

property value, minimum building setbacks, building code requirements, storage of flammable goods, heritage considerations, and due process.

In response, Administration advises Council with regard to:

1. Depreciation of Property Value: the Zoning Bylaw attempts to balance goal of protecting neighbouring property values while still ensuring regulations for infill development that create a suitable environment for re-investment. There has been little to no interest in these properties for residential or commercial development, and having a low impact, light industrial use is likely the best alternative for development of these properties.

It is also noted that the neighbouring single unit residential properties along Myrtle Avenue are designated for future Commercial Use in the Official Community Plan, and dating back to at least 2003, have been zoned C-1 City Centre Commercial. After learning that these regulation inhibited home owners from obtaining replacement insurance, the City modified the C-1 zoning to officially grandfather the existing residential uses. Though the Zoning Bylaw would support replacement of homes on these properties, it would not currently support new low density residential development along this portion of Myrtle Avenue.

2. Minimum Building Setbacks: the current C-1 zoning does require setbacks for most uses. The proposed CMI-1 zoning is consistent with the C-1 zoning and also does not require setbacks. The applicant has preliminarily proposed 1 metre setbacks to each of the side property lines which will allow construction and maintenance to occur fully within the subject property. A 5.55 metre setback is proposed for the front, which will be used on one side for a parking space, and on the other, landscaping. This should provide for adequate site lines for both vehicles and pedestrians.
3. Building Code Requirements: the National Building Code allows for nearly infinite construction options pending occupancy, construction method and materials used. The applicant has contracted the services of a professional Architect to ensure efficient design that meets requirements of the Building Code.
4. Storage of Flammable Goods: storage of flammable and hazardous goods is generally regulated and limited by the National Fire Code and the National Fire Protection Association. The proposed storage facility is not intended to accommodate storage of hazardous goods, though it is possible that personal storage items can still create an element of risk. The National Building Code helps to mitigate that risk by requiring construction methods that slow or contain the spread of fire. Comparatively, it would also be possible that the storage of personal items in homes and residential garages could pose a similar risk to the items within a self storage facility.
5. Heritage Considerations: The Official Community Plan (OCP) outlines potential heritage sensitivity. These lands are not known to be of significant heritage value and are not recommended for further screening.
6. Due Process: the City's rezoning and Discretionary Use processes are subject to requirements of applicable Provincial Legislation (*Cities Act* and the *Planning &*

Development Act, 2007), and those processes have been followed for the affected property. The inquirer was further advised of their option to submit comments in writing and to present their concerns to Council at the Public Hearing.

All written submissions and persons wishing to speak to the amendment will have had the opportunity to present to Council during the Public Hearing.

Conclusion:

Should the Bylaw receive approval, a second Council report will be presented in response to the proposed Discretionary Use (for self-storage use).

Council Options:

1. That the proposed rezoning be given 2nd and 3rd Readings.
2. That the proposed rezoning be denied for reasons listed by Council.
3. That Administration be provided with alternative direction.

Administrative Recommendation:

1. That Bylaw No. 9/2022, a bylaw of the City of Yorkton in the Province of Saskatchewan to amend Bylaw No. 14/2003 by rezoning Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, civically known as 129 and 135 Myrtle Avenue, from C-1 City Centre Commercial to CMI-1 Commercial – Industrial Transitional, be given 2nd Reading this 9th day of May A.D., 2022, and
2. That Bylaw No. 9/2022, a bylaw of the City of Yorkton in the Province of Saskatchewan to amend Bylaw No. 14/2003 by rezoning Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, civically known as 129 and 135 Myrtle Avenue, from C-1 City Centre Commercial to CMI-1 Commercial – Industrial Transitional, be given 3rd Reading this 9th day of May A.D., 2022 and be entered in the City of Yorkton Bylaw Register.

**City of Yorkton
Saskatchewan**

Bylaw No. 9/2022

**A bylaw of the City of Yorkton in the Province of Saskatchewan to rezone
Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578,
civically known as 129 and 135 Myrtle Avenue, from C-1 City Centre
Commercial to CMI-1 Commercial – Industrial Transitional.**

WHEREAS, pursuant to Section 46(3) of *The Planning and Development Act, 2007*, the Council of the City of Yorkton in the Province of Saskatchewan in Council assembled hereby enacts as follows:

1. That Bylaw No. 14/2003 is amended by rezoning Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, civically known as 129 and 135 Myrtle Avenue as shown on Schedule 'A' attached hereto, from C-1 City Centre Commercial to CMI-1 Commercial – Industrial Transitional;
2. That the Zoning Districts Map attached to and forming part of Bylaw No. 14/2003, is amended to change the zoning of Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, civically known as 129 and 135 Myrtle Avenue as shown on Schedule 'A' attached hereto, from C-1 City Centre Commercial to CMI-1 Commercial – Industrial Transitional.

This bylaw shall come into force and take effect on the date of final passing thereof.

MAYOR

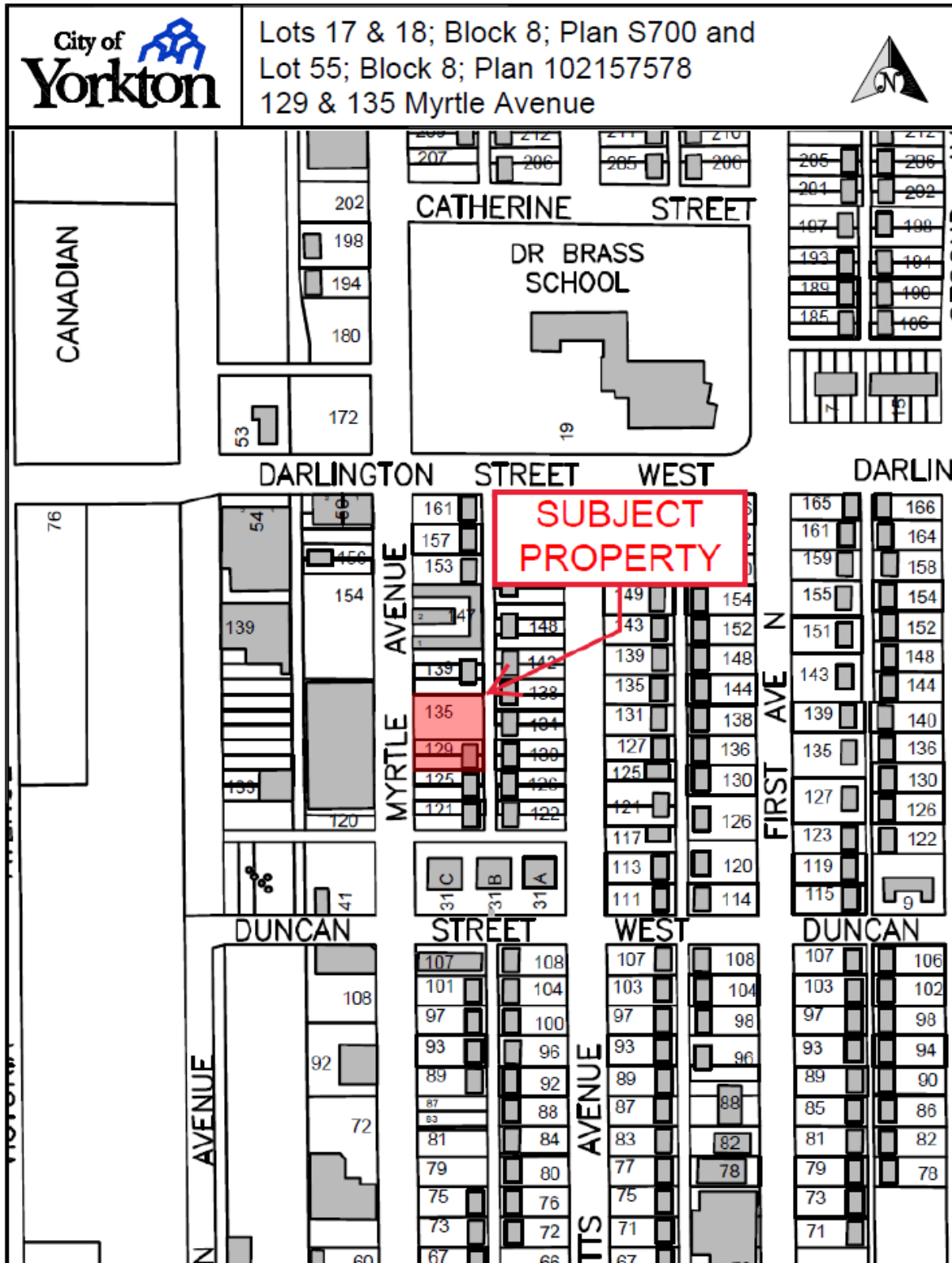
CITY CLERK

Introduced and read a first time this 11th day of April, A.D., 2022.

Read a second time this ____ day of _____, A.D., 2022.

Read a third time and adopted this ____ day of _____, A.D., 2022.

Schedule 'A'



Attachment 2 – April 11, 2022 Council Report



REPORT TO COUNCIL

| | |
|--|---|
| TITLE: Bylaw No. 9/2022 – Amend Zoning Bylaw No. 14/2003 by Rezoning 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional 1st Reading & Public Notice Authorization | DATE OF MEETING: April 11, 2022 |
| | REPORT DATE: April 5, 2022 |
| | ATTACHMENTS: 1. Area Zoning 2. Proposed Bylaw No. 9/2022 3. Public Notice |
| CLEARANCES: | |
| Written by: Michael Eger – Director of Planning, Building & Development Michael Eger | |
| Reviewed by: Jessica Matsalla - City Clerk Jessica Matsalla | |
| Approved by: Lonnie Kaal - City Manager Lonnie Kaal | |

Summary of History/Discussion:

The City of Yorkton recently carried out tax title proceedings on 129 Myrtle Avenue, and years prior, for 135 Myrtle Avenue. Ultimately, the City is liable for outstanding assessments, liens, and in the case of 129 Myrtle Ave, demolition costs. Legislation requires the City to hold a public offering for tax title properties, and these properties were recently put out for public auction.

Following the auction, Administration was able to negotiate a land sale with the highest bidder. The prospective purchaser has made their offer conditional to rezoning and Development Permit approval which allows construction of a self-storage facility.

Planning Services, on behalf of the purchaser, is therefore proposing that the properties be rezoned to from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional, and if approved, that Council consider the proposed self-storage facility as a Discretionary Use (under a separate report).

It is noted, however, that Council is not bound by the purchase and sale agreement to approve rezoning. Rather, it affords the purchaser security that they can cancel the agreement without penalty, should rezoning not proceed.

Administrative Review:

CMI-1 is mixed use zoning that was initially implemented for several properties along Myrtle Avenue in 2008. At that time, it became apparent that the commercial zoning (C-1) was causing hardships to existing light industrial businesses by prohibiting them from expansion. Several

Bylaw No. 9/2022 - 129 & 135 Myrtle Ave – From C-1 to CMI-1
Page 1 of 7

Attachment 2, continued

other sites were also becoming under-utilized as they were historically used for industrial purposes and not considered viable for commercial development. Since then, additional properties in this area have been rezoned to CMI-1 and the City continues to evaluate the merits of rezoning on a case-by-case basis.

The CMI-1 zone still encourages a wide range of commercial-oriented developments as Permitted Uses within the zone, but also provides for light industrial uses as Discretionary Uses. The goal is to facilitate reinvestment in the core commercial and light industrial areas. This also allows the City to ensure that only appropriate, low-nuisance industrial uses are allowed to develop within the subject lands.

Because of this, the CMI-1 zone is still appropriate for implementation under the Commercial Future Land Use Designation that is prescribed in the City's Official Community Plan (OCP).

In order to evaluate the merits of potential rezoning applications, Planning Services considers each request under eight criteria. This application was evaluated as follows:

1. Is the proposed use compatible with neighboring uses?

Neighbouring uses consist of a variety of industrial, commercial and residential uses. The residential uses are accommodated by Transitional-type zoning that was established to allow continued residential use for existing properties, but to dissuade further residential investment. Administration is therefore satisfied that the proposed rezoning is compatible with the neighbouring uses.

2. Are the building and property suitable to the proposed use?

The lands are currently vacant and the purchaser intends to develop the lands as a self storage facility. This is a low demand use with respect to City services and traffic flow.

3. Is there a need in the community for the proposed use?

Determining need can be very difficult – needs are things like the provision of essential public services, and access to affordable and safe housing, education, health care and food.

4. Is there a need for additional properties within the zoning sector?

There is currently more appetite for investment in small light industrial sites than there is for commercial.

5. Would the rezoning transplant an existing business in such a way that it will create a vacancy elsewhere in the City?

This is not anticipated, but certainly a possibility.

6. Will the proposed use enhance or revitalize the property and building(s)?

The previous building at 129 Myrtle Ave was vacant for several years before falling into disrepair and ultimately, demolished. 135 Myrtle Ave has been vacant for many years, so development would certainly enhance the properties.

Attachment 2, continued

7. Has the applicant demonstrated their understanding of the potential financial constraints and opportunities that warrants consideration of a rezoning?

The purchaser is experienced in the construction of self storage units and demonstrates a good understanding of both construction and operating costs related to the development.

8. Would the rezoning be perceived as a precedent for which other owners of similarly-zoned properties would expect similar treatment?

CMI-1 zoning has been only reviewed on a case-by-case basis, but given current trends, Planning Services will look to undertake a broader review to determine if it should be applied to similar properties which are more suitable to light industrial development.

Based on the above criteria, Administration feels that the application adequately satisfies the criteria and is supportive of the rezoning.

Public Notice:

At this time, Administration would like to initiate the public notice process for the required amendments including advertisement in the local newspaper, at City Hall and on the City website, as well as circulation to property owners within 75 metres of the subject property.

If authorization for Public Notice is granted, the proposed amendment will also be referred to the Planning and Infrastructure Commission for their input. The Commission's recommendations will be brought back to Council, for their review and decision, in conjunction with the Public Hearing.

Council Options:

1. That the proposed rezoning of 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional be approved for introduction and 1st Reading and furthermore that Administration be authorized to proceed with public notice;
2. That the proposed rezoning of 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional be denied for reasons as listed by Council;
3. That Administration be provided with alternative direction.

Administrative Recommendation:

1. That Bylaw No. 9/2022, a bylaw of the City of Yorkton in the Province of Saskatchewan to amend Bylaw No. 14/2003 by rezoning Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, civically known as 129 and 135 Myrtle Avenue, from C-1 City Centre Commercial to CMI-1 Commercial – Industrial Transitional, be introduced and given 1st Reading, and furthermore that Administration be authorized to proceed with the Public Notice process.

Attachment 2, continued

Attachment 1 – Area Zoning



Bylaw No. 9/2022 - 129 & 135 Myrtle Ave – From C-1 to CMI-1
Page 4 of 7

Attachment 2, continued

Attachment 2 – Proposed Bylaw No. 9/2022

City of Yorkton
Saskatchewan

Bylaw No. 9/2022

**A bylaw of the City of Yorkton in the Province of Saskatchewan to rezone
Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578,
civically known as 129 and 135 Myrtle Avenue, from C-1 City Centre
Commercial to CMI-1 Commercial – Industrial Transitional.**

WHEREAS, pursuant to Section 46(3) of *The Planning and Development Act, 2007*, the Council of the City of Yorkton in the Province of Saskatchewan in Council assembled hereby enacts as follows:

1. That Bylaw No. 14/2003 is amended by rezoning Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, civically known as 129 and 135 Myrtle Avenue as shown on Schedule 'A' attached hereto, from C-1 City Centre Commercial to CMI-1 Commercial – Industrial Transitional;
2. That the Zoning Districts Map attached to and forming part of Bylaw No. 14/2003, is amended to change the zoning of Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, civically known as 129 and 135 Myrtle Avenue as shown on Schedule 'A' attached hereto, from C-1 City Centre Commercial to CMI-1 Commercial – Industrial Transitional.

This bylaw shall come into force and take effect on the date of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this ____ day of _____, A.D., 2022.

Read a second time this ____ day of _____, A.D., 2022.

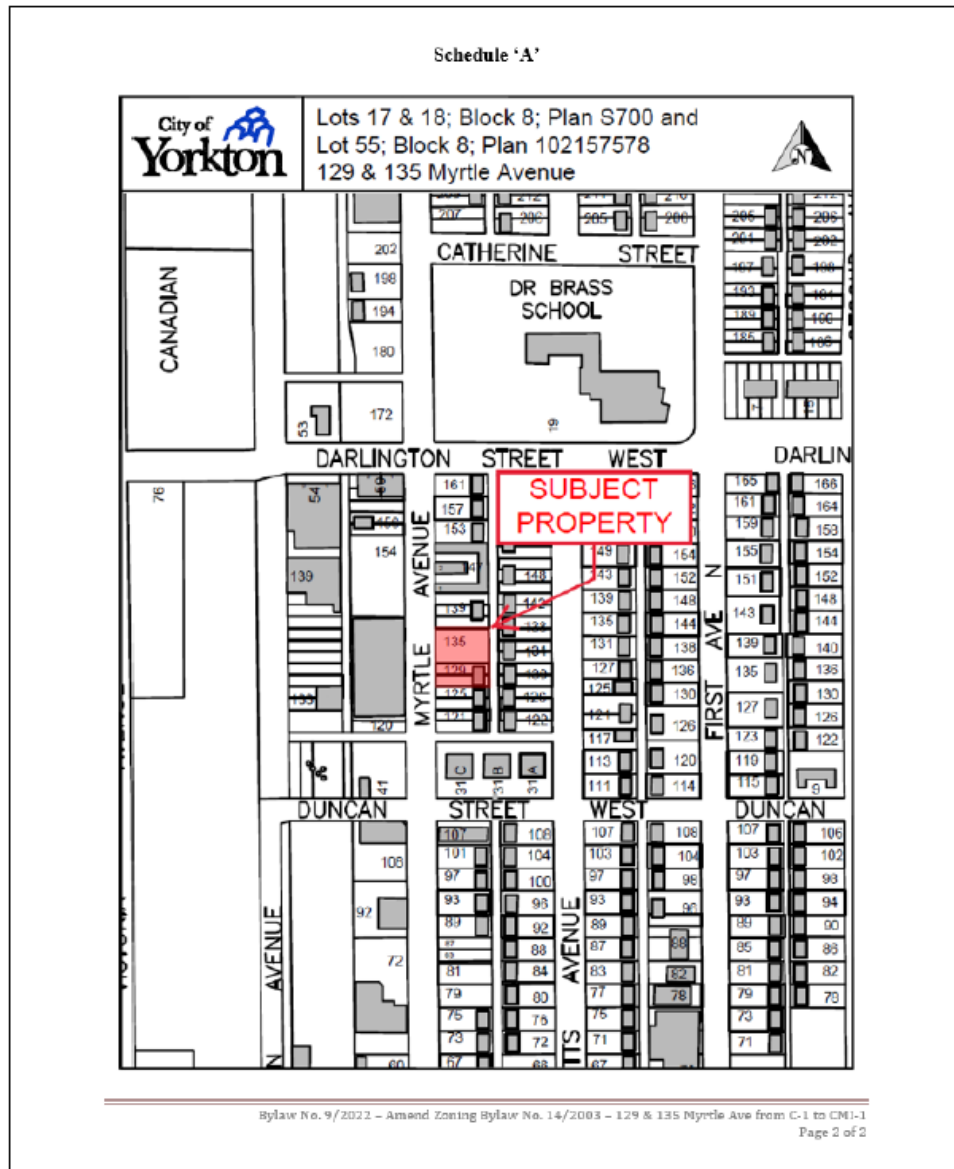
Read a third time and adopted this ____ day of _____, A.D., 2022.

Bylaw No. 9/2022 – Amend Zoning Bylaw No. 14/2003 – 129 & 135 Myrtle Ave from C-1 to CMI-1
Page 1 of 2

Bylaw No. 9/2022 - 129 & 135 Myrtle Ave – From C-1 to CMI-1
Page 5 of 7

Attachment 2, continued

Attachment 2, continued




Attachment 2, continued

Attachment 3 – Public Notice

PUBLIC NOTICE

1. Rezone 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional and
2. Consider a proposed Self Storage Facility as a Discretionary Use on the same property



Legal Description: Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578
Civic Address: 129 & 135 Myrtle Avenue

Details: City of Yorkton Council will consider:

1. Proposed Bylaw No. 9/2022, to amend the Zoning Bylaw by rezoning both 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional; and
2. A Discretionary Use application to allow for a Self Storage Facility on the same property. The Discretionary Use cannot be considered for approval if the rezoning is not approved. Council approval of the Discretionary Use will enable staff to issue Development and Building Permits, subject to all applicable regulations.

Information: You can view this notice online at www.yorkton.ca under the New and Notices section on the home page.

Questions regarding the application may be directed to:

Michael Eger, Director of Planning, Building & Development
Phone: (306) 786-1758
Email: meeger@yorkton.ca

Public Hearing: City Council will hear all persons who are present and wish to speak to the application and all written submissions will be read verbatim unless the submitter is in attendance to speak on the submission, on Monday, May 9, 2022 at 5:00 pm in City Hall Council Chambers, Yorkton, SK.

If you wish to provide written comments for Council's consideration, they must be submitted by 9:00 a.m. on Wednesday, May 4, 2022. Written submissions must be directed to:

Jessica Matsalla, Director of Legislation & Procedures
In Person: 37 Third Avenue North, Yorkton, SK
Via Mail: Box 400, Yorkton, SK S3N 2W3
Via Email: jmatsalla@yorkton.ca

| | |
|---|--|
| TITLE: Discretionary Use DU02-2022 – Storage Facility at 129 & 135 Myrtle Avenue Decision following Public Hearing | DATE OF MEETING: May 9, 2022 |
| | REPORT DATE: May 4, 2022 |
| | ATTACHMENTS: 1. April 11, 2022 Council Report |
| CLEARANCES: | |
| Written by: Michael Eger – Director of Planning, Building & Development <div style="text-align: right;">Michael Eger</div> | |
| Reviewed by: Jessica Matsalla - City Clerk <div style="text-align: right;">Jessica Matsalla</div> | |
| Approved by: Lonnie Kaal - City Manager <div style="text-align: right;">Lonnie Kaal</div> | |

Summary of History/Discussion:

Administration's review and analysis of the application was presented to Council at the April 11, 2022 meeting, where Council authorized Public Notification (see Attachment 1). This report follows rezoning of the affected property, which would allow for the Storage Facility as a Discretionary (Council-approved) use.

Planning and Infrastructure Commission

The application was referred to the Planning and Infrastructure Commission at the April 27, 2022 meeting. The Commission reviewed the application and unanimously carried the following motion:

That Discretionary Use DU02-2022, which proposes a Storage Facility at 129 & 135 Myrtle Avenue, be recommended for approval to City Council.

Public Notice:

The application was advertised and circulated in accordance with the City's public notification requirements, including advertisement in the local paper, at City Hall and on the City website, and a direct mail out to property owners within 75m (250 ft) of the subject property.

As of the date of this report, Administration had received telephone and email inquiries from a neighbouring resident in response to both the rezoning and the subsequent Discretionary Use application. The resident raised questions and apparent concerns relating to: depreciation of property value, minimum building setbacks, building code requirements, storage of flammable goods, heritage considerations, and due process.

In response, Administration advises Council with regard to:

1. **Depreciation of Property Value:** the Zoning Bylaw attempts to balance goal of protecting neighbouring property values while still ensuring regulations for infill development that create a suitable environment for re-investment. There has been little to no interest in these properties for residential or commercial development, and having a low impact, light industrial use is likely the best alternative for development of these properties.

It is also noted that the neighbouring single unit residential properties along Myrtle Avenue are designated for future Commercial Use in the Official Community Plan, and dating back to at least 2003, have been zoned C-1 City Centre Commercial. After learning that these regulation inhibited home owners from obtaining replacement insurance, the City modified the C-1 zoning to officially grandfather the existing residential uses. Though the Zoning Bylaw would support replacement of homes on these properties, it would not currently support new low density residential development along this portion of Myrtle Avenue.

2. **Minimum Building Setbacks:** the current C-1 zoning does require setbacks for most uses. The proposed CMI-1 zoning is consistent with the C-1 zoning and also does not require setbacks. The applicant has preliminarily proposed 1 metre setbacks to each of the side property lines which will allow construction and maintenance to occur fully within the subject property. A 5.55 metre setback is proposed for the front, which will be used on one side for a parking space, and on the other, landscaping. This should provide for adequate site lines for both vehicles and pedestrians.
3. **Building Code Requirements:** the National Building Code allows for nearly infinite construction options pending occupancy, construction method and materials used. The applicant has contracted the services of a professional Architect to ensure efficient design that meets requirements of the Building Code.
4. **Storage of Flammable Goods:** storage of flammable and hazardous goods is generally regulated and limited by the National Fire Code and the National Fire Protection Association. The proposed storage facility is not intended to accommodate storage of hazardous goods, though it is possible that personal storage items can still create an element of risk. The National Building Code helps to mitigate that risk by requiring construction methods that slow or contain the spread of fire. Comparatively, it would also be possible that the storage of personal items in homes and residential garages could pose a similar risk to the items within a self storage facility.
5. **Heritage Considerations:** The Official Community Plan (OCP) outlines potential heritage sensitivity. These lands are not known to be of significant heritage value and are not recommended for further screening.
6. **Due Process:** the City's rezoning and Discretionary Use processes are subject to requirements of applicable Provincial Legislation (*Cities Act* and the *Planning & Development Act, 2007*), and those processes have been followed for the affected property. The inquirer was further advised of their option to submit comments in writing and to present their concerns to Council at the Public Hearing.

All written submissions and persons wishing to speak to the amendment will have had the opportunity to present to Council during the Public Hearing.

Council is advised that they may consider conditions of approval for the Discretionary Use that would help ease concerns of neighbouring property owners. Examples of conditions could include increased setbacks to buffer from existing uses, or perimeter screening via a fence, hedge or shrubs.

Council Options:

1. That the application be approved.
2. That the application be approved, with conditions.
3. That the application be denied for reasons listed by Council.
4. That Administration be provided with alternative direction.

Administrative Recommendation:

1. That Discretionary Use application DU02-2022, which proposes a Storage Facility as defined in City of Yorkton Zoning Bylaw No. 14/2003 at 129 & 135 Myrtle Avenue, legally described as Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, be approved, and the Development Officer be authorized to issue a Development Permit.

Attachment 1 – April 11, 2022 Council Report



REPORT TO COUNCIL

| | |
|---|--|
| TITLE: Discretionary Use DU02-2022 – Storage Facility at 129 & 135 Myrtle Avenue Public Notice Authorization CLEARANCES: | DATE OF MEETING: April 11, 2022 |
| | REPORT DATE: April 5, 2022 |
| | ATTACHMENTS: 1. Preliminary Site Plan 2. Public Notice 3. Summary of Discretionary Use Process |
| Written by: Michael Eger – Director of Planning, Building & Development Michael Eger | |
| Reviewed by: Jessica Matsalla - City Clerk Jessica Matsalla | |
| Approved by: Lonnie Kaal - City Manager Lonnie Kaal | |

Summary of History/Discussion:

Following the proposed rezoning of 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional under Bylaw No. 9/2022, the prospective purchaser has applied to develop a self storage business on the subject property. This business is defined as a "Storage Facility" under Zoning Bylaw No. 14/2003, and would become a Discretionary Use in the CMI-1 zone, should Council approve the rezoning application.

Administrative Review:

While the Zoning Bylaw does not contain specific Discretionary Use requirements for Storage Facilities in the CMI-1 zoning district, applications are typically more favourably considered where it can be demonstrated that their location is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas, including, but not limited to:

- the anticipated levels of noise and odours created by the use;
- the anticipated increased level or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians ;
- the use will have a minimal impact on the amenity of the surrounding zoning district and adjacent areas and that these areas will not be reasonably compromised;
- the character of adjacent residential uses, if applicable, shall be protected and maintained through the provision of buffer areas, separation distances and screening.

Attachment 1, continued

Myrtle Avenue is a mixed-use area – the long term objective would be to transition the street to Commercial uses. However, the proposed use will have a low impact and generate very little noise, traffic movements and heavy traffic. Additionally, the self-storage concept inherently provides enclosed storage and the new buildings, with paved parking and complimentary landscaping, should be an improvement to the overall streetscape. The applicant is also an experienced self-storage developer, and has worked with Planning and Building Services staff to understand and adhere to applicable regulations and standards.

Based on the preliminary plans and discussions with the applicant, the building will consist of two buildings housing an office and 68 storage units. Access to the buildings will be gained from the internal drive aisle while several units are accessible only once inside the buildings. Drainage will be directed to the centre of the property to mitigate effects on neighbouring properties. A small setback from the neighbouring properties will help to prevent encroachment onto adjacent properties during construction and/or future maintenance. It should be noted that preliminary plans may be refined/revised after approval of the Discretionary Use application, subject to meeting applicable regulations.

Conclusion:

At this time, Administration has no objections to the Discretionary Use and would like to initiate the public notice process including advertisement in the local newspaper, at City Hall and on the City website, as well as circulation to property owners within 75 metres of the subject property.

If authorization for Public Notice is granted, the application will also be referred to the Planning and Infrastructure Commission for their input. The Commission's recommendations will be brought back to Council, for their review and decision, in conjunction with the Public Hearing.

Council Options:

1. That Administration be authorized to proceed with Public Notification for Discretionary Use application DU02-2022 which proposes a Storage Facility as defined in City of Yorkton Zoning Bylaw No. 14/2003 at 129 & 135 Myrtle Avenue, and that the application be brought back to Council for its review and decision;
2. That Public Notification for Discretionary Use application DU02-2022, which proposes a Storage Facility as defined in City of Yorkton Zoning Bylaw No. 14/2003 at 129 & 135 Myrtle Avenue, be denied for reasons as listed by Council;
3. That Administration be provided with alternative direction.

Administrative Recommendation:

1. That Administration be authorized to proceed with Public Notification for Discretionary Use application DU02-2022 which proposes a Storage Facility as defined in City of Yorkton Zoning Bylaw No. 14/2003 at 129 & 135 Myrtle Avenue, legally described as Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578, and that the application be brought back to Council for its review and decision.

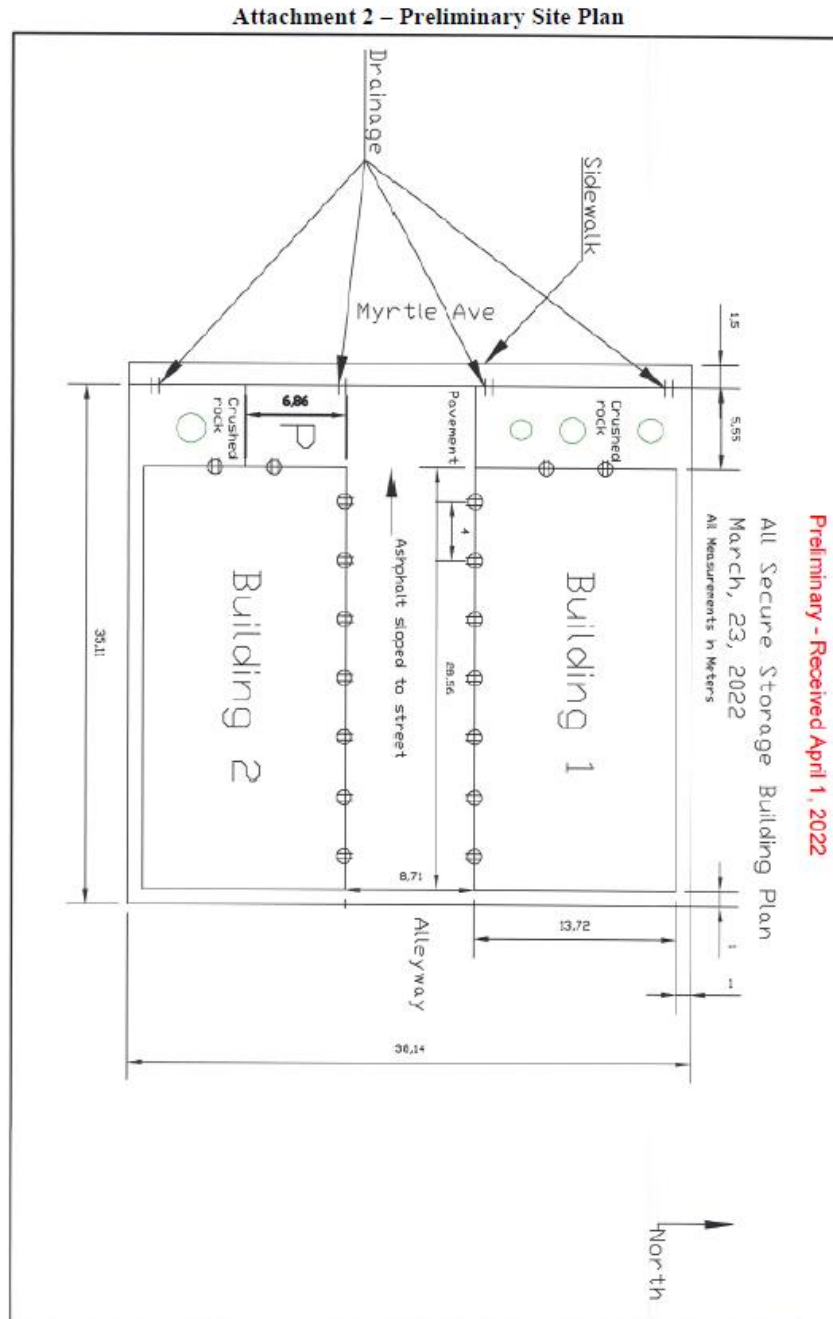
Attachment 1, continued

Attachment 1 – Key Plan



Discretionary Use DU02-2022 - 129 & 135 Myrtle Ave – Storage Facility in CMI-1
Page 3 of 6

Attachment 1, continued



Discretionary Use DU02-2022 - 129 & 135 Myrtle Ave – Storage Facility in CMI-1
Page 4 of 6

Attachment 1, continued

Attachment 3 – Summary of Discretionary Use Process

Summary of Discretionary Use Application Process:

The Planning and Development Act, 2007 ('The Act') allows a zoning bylaw to contain provisions for "Permitted Uses" and "Discretionary Uses" within specified land use zones. Any use that is not listed as "Permitted" or "Discretionary" is considered prohibited. *The Act* allows "Permitted Uses" to be approved by Administration, however, "Discretionary Use" applications require the approval of a council and must follow *The Act's* prescribed process. The process includes the requirement of giving Public Notice to property owners within 75 metres (250 feet) of the subject property, as well as the provision of a Public Hearing.

Pursuant to *The Act*, a council shall exercise its discretion respecting a Discretionary Use application to:

- (a) Reject the application;
- (b) Approve the discretionary use in accordance with the provisions of the zoning bylaw;
- (c) Approve the discretionary use subject to development standards or conditions in accordance with the zoning bylaw; or
- (d) Approve the discretionary use for a limited time, if a time limit is authorized in the bylaw.

A council may approve a discretionary use if the facts presented establish that the proposed discretionary use will:

- (a) Comply with provisions of the zoning bylaw respecting the use and intensity of use of land for the discretionary use;
- (b) Be consistent with the criteria in the zoning bylaw respecting the use and intensity of use of land for the discretionary use;
- (c) In the opinion of the council, be compatible with development in the district in the immediate area of the proposal; and
- (d) Be consistent with provincial land use policies and statements of provincial interest.

In approving a discretionary use, a council may prescribe specific development standards or conditions with respect to that use, but only if those standards or conditions:

- (a) Are based on and are consistent with general development standards or conditions made applicable to discretionary uses by the zoning bylaw; and
- (b) Are, in the opinion of the council, necessary to secure the objectives of the zoning bylaw with respect to:
 - (i) The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of buildings;
 - (ii) The accessibility and traffic patterns for persons and vehicles, the type and volume of that traffic and the adequacy of proposed off-street parking and loading;
 - (iii) The safeguards afforded to minimize noxious or offensive emissions including noise, glare, dust and odour; or
 - (iv) Any treatment given, as determined by the council, to aspects including landscaping, screening, open spaces, parking and loading areas, lighting and signs, but not including the colour, texture or type of materials and architectural detail.

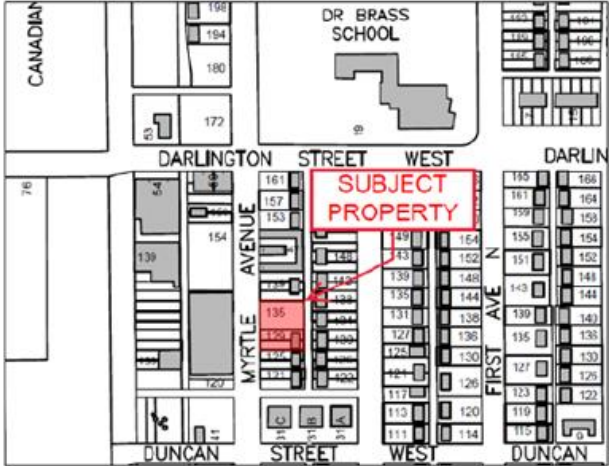
If an application for a discretionary use has been approved by a council with prescribed standards or conditions, the applicant may appeal to the Development Appeals Board, however a Discretionary Use application that is denied by a council may not be appealed.

Attachment 1, continued

Attachment 4 – Public Notice

PUBLIC NOTICE

1. Rezone 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional and
2. Consider a proposed Self Storage Facility as a Discretionary Use on the same property



Legal Description: Lots 17 & 18; Block 8; Plan S700 and Lot 55; Block 8; Plan 102157578
Civic Address: 129 & 135 Myrtle Avenue

Details: City of Yorkton Council will consider:

1. Proposed Bylaw No. 9/2022, to amend the Zoning Bylaw by rezoning both 129 & 135 Myrtle Avenue from C-1 City Centre Commercial to CMI-1 Commercial-Industrial Transitional; and
2. A Discretionary Use application to allow for a Self Storage Facility on the same property. The Discretionary Use cannot be considered for approval if the rezoning is not approved. Council approval of the Discretionary Use will enable staff to issue Development and Building Permits, subject to all applicable regulations.

Information: You can view this notice online at www.yorkton.ca under the New and Notices section on the home page.

Questions regarding the application may be directed to:

Michael Eger, Director of Planning, Building & Development
Phone: (306) 786-1758
Email: megeer@yorkton.ca

Public Hearing: City Council will hear all persons who are present and wish to speak to the application and all written submissions will be read verbatim unless the submitter is in attendance to speak on the submission, on Monday, May 9, 2022 at 5:00 pm in City Hall Council Chambers, Yorkton, SK.

If you wish to provide written comments for Council's consideration, they must be submitted by 9:00 a.m. on Wednesday, May 4, 2022. Written submissions must be directed to:

Jessica Matsalla, Director of Legislation & Procedures
In Person: 37 Third Avenue North, Yorkton, SK
Via Mail: Box 400, Yorkton, SK S3N 2W3
Via Email: jmatsalla@yorkton.ca

| | |
|---|---|
| TITLE: Proposed Bylaw No. 10/2022 to Amend the Animal Control Bylaw No. 5/2018 | DATE OF MEETING: May 9, 2022 |
| | REPORT DATE: April 28, 2022 |
| CLEARANCES: | ATTACHMENTS: <ol style="list-style-type: none"> 1. Draft Bylaw No. 10/2022 to Amend the <i>Animal Control Bylaw No. 5/2018</i> 2. Draft <i>Animal Control Bylaw</i> with changes included |
| Written by: Nicole Baptist – Bylaw & Safety Supervisor | Nicole Baptist |
| Reviewed by: Jessica Matsalla - City Clerk | Jessica Matsalla |
| Approved by: Lonnie Kaal - City Manager | Lonnie Kaal |

PURPOSE/BACKGROUND

A full revision to The Animal Control Bylaw was passed in early 2018. With all Bylaws that are used frequently, Administration aims to complete a review of the Bylaw every two to three years to ensure that the Bylaw is still meeting the needs of the community and enforcement requirements. As such, the Animal Control Bylaw is overdue for a review and potential update. With the review, Administration also considers Bylaw amendment requests that the City has received from members of the public and direction received by City Council.

At the February 14, 2022 Council Meeting, Council provided the following direction to Administration:

That Council direct Administration to work on an Animal Control Bylaw Amendment, including provisions to allow beekeeping (including leafcutter bees) and regulate it with permit fees for keeping honey and/or leafcutter bees.

DISCUSSION/ANALYSIS/IMPACT

Through this amendment process a number of minor changes are included to improve clarity, but not change the intent of the regulation. All changes are highlighted in Attachment 2, but only changes where we are looking to change the intent of sections will be discussed in this report.

1. Administration is proposing to amend the definition of “Kennel” to remove some restrictions and red tape. Administration believes that the Zoning Bylaw and Business Licence Bylaw do a better job ensuring that kennels are opening in appropriate locations where they won’t create other conflicts.

2. Under Section 3.1, Administration is proposing to restrict the number of cats that are harboured at each residence. This change is in response to some issues we are facing with properties housing too many cats. We are proposing to limit the number of cats per residence to five. When Administration presented the bylaw amendments to the Protective Services Committee the Committee suggested that the City licence any animal rescues to prevent people from claiming that they are an animal rescue and can keep more than five cats. Upon further investigation, Administration has inserted a definition for animal rescues and inserted clauses into Sections 3.1 and 10.1 to prevent pet owners from making incorrect claims that they are a rescue to exceed the limit. Administration is recommending this alternative to reduce the workload on Administration and rescues, while still preventing pet owners from claiming rescue status. A fine for \$200 for exceeding the maximum number of cats has also been included in Schedule “L”. The fine for exceeding the maximum number of dogs is \$100.

It’s important to note that Administration has considered licensing cats the same way that we licence dogs. Through our research, most municipalities licence cats. The licensing process may also assist us regulating how many cats are living in each residence. However, at this time, Administration is recommending that we do not licence cats because we do not have the staff resources to maintain a cat licence database.

3. Administration is proposing to update the language in the Bylaw for barking and howling. The proposed changes clearly document the conditions or circumstances that Officers currently look at when determining if a complaint substantiates a nuisance-barking problem that would result in a fine. The updated language will not change the complaint reporting procedures that we currently have in place. Administration is also recommending that we remove Clause 15(2) that speaks to options available for a Judge because these are currently not being used in the Court process.
4. Administration is proposing to remove Section 17 regarding dogs in vehicles. We originally included this in the Bylaw to address concerns of dogs left in hot vehicles. We are proposing to remove this section for clarity on whether it should be enforced under the Bylaw or the Act, since Community Safety Officers can now enforce the *Animal Protection Act*.
5. Following the direction of Council, Administration has inserted Section 46.1 regarding Urban Hobby Beekeeping. The proposed regulations in the Bylaw follow the guidelines that were used in the 2021 pilot project and include the recommended changes that were discussed at the February 14, 2022 Council Meeting. A corresponding fee for the Urban Beekeeping licence was also inserted to Schedule “C” with an annual fee of \$50. Fines were also included in Schedule “L” for keeping honeybees without a licence (\$200) and exceeding the number of hives or supers (\$100).

At the February 14th Council Meeting, Council directed Administration to licence anyone keeping honeybees or leafcutter bees. Following further investigation, Administration would recommend that the City only licence for honeybees. The size of honeybee hives is much larger with many more bees than the leafcutter beehives that we are seeing. In the future if leafcutter beehives in the community become larger, we may need to revisit this, but at this point Administration recommends that leafcutter bees be allowed, but not

require licences.

6. Under Section 48(1)(c), Administration is proposing to remove the 24 hour time limit that Council or the City Manager can approve events such as petting zoos. We are proposing this change to allow Council or the City Manager the flexibility to determine any conditions for permitting these types of events. Along similar lines, Administration is proposing to insert Clause 49(1)(d) to give Council or the City Manager authority to permit any prohibited animal. The intent of this amendment is to allow Council or the City Manager the option to permit other animals from coming with circuses or other shows.
7. Administration is proposing some small amendments to Section 50, being the Offences, Penalties and Order to Comply section, which will allow the Community Safety Officers to issue fines on Summary Offence Tickets.

Additional Bylaw Amendment Requests

Over the last couple years the City has received a small handful of requests or interest in permitting more animals that are currently prohibited (similar to the request we received for Urban beekeeping). Some of the requests we've received are:

- Sugar gliders – through further research, Administration learned that sugar gliders are not permitted under the *Captive Wildlife Regulations* and therefore we are not able to allow this under our Bylaw.
- Chickens and miniature pigs – the majority of municipalities in Saskatchewan do not permit chickens or miniature pigs. There have been a handful of cases where chickens were kept within City limits and the Bylaw Division has ordered them removed. In most cases we receive the complaints because other animals such as foxes, skunks, etc. are noticed by neighbours in the area. Administration does not recommend that we permit backyard chickens because of the other wild animals that they do attract. And furthermore, Administration does not recommend that we permit miniature pigs due to the risk of the pigs going feral and doing extensive property damage.
- Ball pythons – currently in our Animal Control Bylaw, all pythons and boas are prohibited and this is the case in the vast majority of other municipalities in the Province. Although ball pythons are now permitted under the *Captive Wildlife Regulations*, Administration recommends that we do not permit ball pythons as we are not equipped with the resources to address it should the snakes ever get loose.

Administration presented these requests to the Protective Services Committee and they were supportive of Administrations recommendation that we do not permit these animals under the Animal Control Bylaw.

FINANCIAL IMPLICATIONS

There are no financial implications with the proposed Bylaw Amendment.

COMMUNICATION PLAN/PUBLIC NOTICE

As per the *Public Notice Bylaw No. 8/2003*, Public Notice is not required for this Bylaw amendment. If Council so desires, Administration could initiate the Public Notice process; the proposed amendment would then be brought back to Council for review and decision in conjunction with the Public Hearing at the next Council Meeting.

The majority of the changes included in the Bylaw Amendment are minor in nature and will not require wide-spread communication to the public. However, changes such as the limit on harbouring cats, will be communicated to residents through our typical communication such as Bylaw Fast Facts or during enforcement measures. Finally, Administration will create a new webpage for the Urban Beekeeping information on the City's website that will list the requirements, etc. We will also promote this through our various communication options such as social media, newspaper and the Mayor's radio message. Administration will also be in contact with the family that initiated the 2021 Urban Beekeeping Pilot project.

STRATEGIC PRIORITIES/OCP/COMMITTEE RECOMMENDATION(S)

As was mentioned earlier in the report, the Protective Services Committee was consulted about the Bylaw Amendments and was supportive of Administration's changes, but did recommend that Administration licence all animal rescues. The Committee also recommended that Administration reach out to local urban beekeepers and recommend that they collaborate with one another to form a group to share information and other resources.

The Urban Beekeeping Pilot Project is noted on the Council priorities chart and the Bylaw amendment is the final step for this project.

OPTIONS

1. That the proposed Animal Control Bylaw Amendment (Attachment 1) be given first, second and third readings.
2. That the proposed Animal Control Bylaw Amendment (Attachment 1) be passed with any amendments Council deems appropriate.
3. That Council approve introduction and first reading of the proposed Animal Control Bylaw Amendment and authorize Administration to proceed with the Public Notice process.
4. That the proposed Animal Control Bylaw Amendment be denied for reasons as listed by Council.
5. That Administration be provided with alternative direction.

ADMINISTRATIVE RECOMMENDATION

1. That Bylaw No. 10/2022 being A Bylaw of the City of Yorkton in the Province of Saskatchewan to amend the Animal Control Bylaw No. 5/2018 to provide for the licensing, prohibiting, regulating and controlling of animals and the being at large of animals within the City of Yorkton be introduced and given First Reading, this 9th day of May, 2022, A.D.; and
2. That Bylaw No. 10/2022 be given 2nd Reading, this 9th day of May, 2022, A.D.; and
3. That with unanimous consent of Council, Bylaw No. 10/2022, be presented to proceed to 3rd Reading at the May 9th, 2022 meeting; and
4. That Bylaw No. 10/2022 being A Bylaw of the City of Yorkton in the Province of Saskatchewan to amend the Animal Control Bylaw No. 5/2018 to provide for the licensing, prohibiting, regulating and controlling of animals and the being at large of animals within the City of Yorkton be entered in the City of Yorkton Bylaw Register.

**City of Yorkton
Saskatchewan**

Bylaw No. 10/2022

A Bylaw of the City of Yorkton in the Province of Saskatchewan to amend the Animal Control Bylaw No. 5/2018 to provide for the licensing, prohibiting, regulating and controlling of animals within the City of Yorkton.

WHEREAS, pursuant to Section 8 of *The Cities Act* authorizes a Council to licence, regulate and control any animal or class of animals;

AND WHEREAS, a bylaw known as “The Animal Control Bylaw” that has been approved by council, requires certain amendments to be made;

NOW THEREFORE, the Council of the City of Yorkton in the Province of Saskatchewan in Council assembled hereby enacts as follows:

1. That Bylaw No. 5/2018, the Definition of “Dog” be amended by removing “and includes every dog of either sex; and shall include pups under six (6) months not spayed or neutered and any female dog that has been spayed and any male dog that has been neutered” and replace with “either male or female of the canidae family that is domesticated”.
2. That Bylaw No. 5/2018, the Definition of “Kennel” be amended by removing the words “exceeding three (3) dogs in number of the age of three (3) months, whether or not for payment” and under subclause (b) by removing the words “, where the total number of dogs kept by the member does not exceed five (5) in number”.
3. That Bylaw No. 5/2018, the following Definition to be added in alphabetical order, ““Non-profit animal rescue/welfare organization” means a non-profit corporation that is incorporated, continued or registered pursuant to *The Non-Profit Corporation Act* or equivalent from other provinces or federally incorporated non-profit corporation; and which is approved and registered by Canada Revenue Agency as a charity”.
4. That Bylaw No. 5/2018, the paragraph below Part 2: Cats, be amended by removing the words “and trespassing on private property”.
5. That Bylaw No. 5/2018, Clause 3(2) be removed in it’s entirety.
6. That Bylaw No. 5/2018, be amended by adding in the following as section 3.1:

“Harbouring Cats

3.1(1) No property shall house more than five (5) cats over the age of six (6) months within the City of Yorkton.

(2) Notwithstanding Clause 3.1(1), exceptions may be granted at the discretion of the Animal Control Officer for houses fostering cats through a non-profit animal rescue/welfare organization, provided the cats a not a nuisance.”

7. That Bylaw No. 5/2018, Clause 4 (1) be amended by removing the following sentence “Where an Animal Control Officer receives a complaint of a nuisance caused by a cat, the Animal Control Officer may at his discretion” and replacing it with “ An Animal Control Officer may at their discretion”

8. That Bylaw No. 5/2018, Clause 4(4)(a) be amended by removing the “(5)”.
9. That Bylaw No. 5/2018, be amended by removing Clause 8(1) and replacing it with “No owner shall allow an animal’s defecation to accumulate on the property where the animal is kept to such an extent that, in the opinion of the Animal Control Officer, it is reasonably likely to annoy or pose a health risk to others.”
10. That Bylaw No. 5/2018, be amended by inserting Clause 8(2) as “An owner of an animal shall remove the animal’s defecation from the property where the animal is kept and shall dispose of the defecation in a sanitary manner.”
11. That Bylaw No. 5/2018, be amended by removing Clause 9 and replacing it with “No person shall own or keep any dog within the City unless it has a valid licence as provided in this Bylaw.”
12. That Bylaw No. 5/2018, be amended by removing Clauses 10(4) and 10(5).
13. That Bylaw No. 5/2018, be amended by inserting the following as 10(7)(f) “Non-profit animal rescue/welfare organizations.”
14. That Bylaw No. 5/2018 be amended by inserting the following as Clause 10.1:

“Harbouring Dogs

10.1 (1) No property shall house more than three (3) dogs over the age of six months within the City of Yorkton.

(2) Any property that is registered with the Canadian Kennel Club or any other bona fide kennel club shall keep no more than five (5) dogs.

(3) Notwithstanding Clause 10.1(1), exceptions may be granted at the discretion of the Animal Control Officer for houses fostering dogs through a non-profit animal rescue/welfare organization. The non-profit animal rescue/welfare organization shall be required to follow all other requirements of this Bylaw.”

15. That Bylaw No. 5/2018, Clause 11(2) be amended by removing the word “current” and replacing it with “valid”.
16. That Bylaw No. 5/2018, be amended by removing Section 15 and replacing it with:

“15. (1) No owner of a dog shall permit the dog to bark or howl so as to create a nuisance.

(2) For the purposes of this section, the factors for determining whether the barking or howling of a dog has become a nuisance are as follows:

- (a) the proximity of the barking or howling to sleeping facilities;
- (b) the land use, nature and zoning of the area from which the barking or howling emanates and the area where it is received or perceived;
- (c) the time of day or night the barking or howling occurs;
- (d) whether the barking or howling is the result of provocation;
- (e) the volume of the barking or howling; and
- (f) whether the barking or howling is recurrent, intermittent or constant.

(3) Barking or howling in a residential area is deemed to be a nuisance if the barking or howling persists for a period of:

- (a) 15 consecutive minutes or longer; or
- (b) 1 hour or longer, intermittently.

(4) Failure to comply with this section will constitute as an Offence under this Bylaw. The fine for barking or howling shall be set out in Schedule “L”.”

17. That Bylaw No. 5/2018, Clause 16(1), be amended by inserting the word “dog” before the words “owner shall”.
18. That Bylaw No. 5/2018, Clause 16(2), be amended by inserting the words “from their property” following the words “dog feces”.
19. That Bylaw No. 5/2018, be amended by removing Clauses 16(4), 16(5) and 16(6).
20. That Bylaw No. 5/2018, be amended by removing Clause 17.
21. That Bylaw No. 5/2018, be amended by inserting the following as Clause 21(2)(f), “Failure to carry out the requirements specified on a declaration made pursuant to Section 21(2) shall constitute a contravention of this Bylaw.”
22. That Bylaw No. 5/2018, Clause 21(3), be amended by removing the words “for the current year”.
23. That Bylaw No. 5/2018, Clause 24(4), be amended by removing the words “within the time period specified in the Order” and adding the following sentence to the end of the clause: “Failure to Comply with the Order is deemed an Offence.”
24. That Bylaw No. 5/2018, Clause 32(1)(a), be amended by removing the words “and report”.
25. That Bylaw No. 5/2018, Clause 32(1)(b), be amended by inserting the word “owner” after the words “After any dog”.
26. That Bylaw No. 5/2018, Clause 33(1), be amended by inserting the words “in Court” after the words “it is proven”.
27. That Bylaw No. 5/2018, be amended by removing the title for Part 5, and replacing it with “Part 5: Control and Regulation of Exotic, Wild and Certain Domesticated Animals”.
28. That Bylaw No. 5/2018, be amended by inserting the following as Clause 46.1:

“Keeping of Bees

- 46.1(1) (a) No person shall own or harbour honeybees without a valid beekeeping licence for the current year and pay the corresponding fee as contained in Schedule “C”.
- (b) The Bylaw & Safety Supervisor may refuse to issue or may revoke a licence issued pursuant to this section by providing written notice to the licensee.
- (2) No person shall keep more than one active hive with six supers on one property.
- (3) All honey beekeepers must adhere to *The Apiaries Act* and *The Apiaries Regulations*.
- (4) The hive must be set up in the rear of the property.
- (5) No person shall place the hive within three (3) metres of any property line or a 6 foot hedge/fence must be between neighbouring property lines.
- (6) All beekeepers must:
- (a) Place the hive entrance to be directed away from adjacent residential properties.
 - (b) Not be within 25 metres from any public space or school property.
 - (c) Provide a water source within the backyard for the bees.
 - (d) Provide a standard of care to prevent disease and swarms.

- (e) Notify all surrounding neighbours within a 25 metre radius of their property with a letter provided from the City of Yorkton.
- (f) Notify all neighbours adjacent to their property with a letter provided from the City of Yorkton to notify them prior to honey extraction days.
- (g) Take the Saskatchewan Beekeeping Development Commission Introductory Course and provide documentation to the Bylaw & Safety Supervisor that this was completed successfully.
- (h) Register as a beekeeper, as per *The Apiaries Act and Regulations*, with the Saskatchewan Ministry of Agriculture.

(7) Beekeepers must make the hive available for inspection when requested.”

- 29. That Bylaw No. 5/2018, be amended by removing the title above Clause 47 and replacing it with “Owning and Harboursing Exotic, Wild and Certain Domesticated Animals”.
- 30. That Bylaw No. 5/2018, Clause 48(1), be amended by inserting the words “and/or” before the word “livestock” and removing the words “and/or bees,”.
- 31. That Bylaw No. 5/2018, Subclause 48(1)(b), be amended by removing the words “Agricultural and Industrial” and the word “Ltd.”.
- 32. That Bylaw No. 5/2018, Subclause 48(1)(c), be amended by removing the words “for periods not to exceed 24 hours”.
- 33. That Bylaw No. 5/2018, be amended by removing the title above Clause 49 and replacing it with “Exemptions to Owning and Harboursing Exotic, Wild and Certain Domesticated Animals”.
- 34. That Bylaw No. 5/2018, be amended by inserting the following as Clause 49(1)(d): “Upon receiving written approval from City Council or the City Manager.”
- 35. That Bylaw No. 5/2018, be amended by removing the title above Clause 50 and replacing it with “Offences, Penalties and Order to Comply”.
- 36. That Bylaw No. 5/2018, Clause 50(2), be amended by inserting the words “or a Summary Offence Ticket” after the words “Notice of Violation”.
- 37. That Bylaw No. 5/2018, Clause 50(3), be amended by inserting the words “, or in the case of a Summary Offence Ticket, that the City will accept voluntary payment at the Provincial Court House” after the words “amount listed”.
- 38. That Bylaw No. 5/2018, be amended by inserting the following as Clause 50(9): “An Animal Control Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 24 hours of service of the Notice in accordance with Section 51.”.
- 39. That Bylaw No. 5/2018, be amended by inserting the following as Clause 50(10):
 “The City may remove the feces from the property if:
 - (a) The person to whom the request is made fails to remove the feces within 24 hours; or
 - (b) After reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.”
- 40. That Bylaw No. 5/2018, be amended by inserting the following as Clause 50(11): “If the City carries out the work under subsection (10), the costs and expenses incurred are a debt due to the City.”

41. That Bylaw No. 5/2018, Schedule “C” be removed in it’s entirety and be replaced with Schedule “A” of this Bylaw.
42. That Bylaw No. 5/2018, Schedule “E” be removed in it’s entirety and be replaced with Schedule “B” of this Bylaw.
43. That Bylaw No. 5/2018, Schedule “K” be removed in it’s entirety and be replaced with Schedule “C” of this Bylaw.
44. That Bylaw No. 5/2018, Schedule “L” be removed in it’s entirety and be replaced with Schedule “D” of this Bylaw.

This bylaw shall come into force and take effect on the date of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this ____ day of _____, A.D., 2022.

Read a second time this ____ day of _____, A.D., 2022.

Read a third time and adopted this ____ day of _____, A.D., 2022.

Schedule “A”

SCHEDULE “C”

DOG LICENCE FEES

| DOG LICENSE | ANNUAL | 5 YEAR | PERMANENT |
|---|---------------|---------------|------------------|
| Puppy – all dogs between the age of 6 months and 1 year at the time the license is purchased; such dog license being valid for the current licensing period | \$10.00 | Not Available | Not Available |
| All dogs Spayed or Neutered | \$10.00 | \$30.00 | \$50.00 |
| All dogs not spayed or neutered | \$20.00 | \$60.00 | \$100.00 |
| All dogs declared Aggressive or Dangerous | \$300.00 | Not Available | Not Available |
| Service Dog | No Charge | No Charge | No Charge |
| Replacement Dog Tag | \$5.00 | \$5.00 | \$5.00 |

BEE LICENCE FEES

Annual Urban Beekeeping Licence - \$50.00

Schedule “B”

SCHEDULE “E”

DECLARATION TO HAVE DOG VACCINATED

I, _____ of _____
Hereby declare that the dog, which is released to me by the SPCA on this date, will be vaccinated
for rabies as required by the City of Yorkton Animal Control Bylaw within 30 days.

I acknowledge that failure to comply with this declaration may result in prosecution under Section
21(2)(f) of the Animal Control Bylaw.

Dog Owner

Description of Dog

Address

Date

Witness

Schedule “C”

SCHEDULE “K”

LIST OF PROHIBITED ANIMALS

- All Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera *Aphonopelma*, *Avicularia* and *Grammostola*)
- All Artiodactylus Ungulates, except domestic goats, sheep, cattle, and pigs
- All Bats
- All Canids, except the domestic dog
- All Crocodilians (such as alligators, crocodiles, and caimans)
- All Edentates (such as anteaters, sloths, and armadillos)
- All Elephants
- All Felids, except the domestic cat
- All Hyaenas
- All Marsupials (such as kangaroos and opossums)
- All Mustelids (such as skunks, weasles, otters, and badgers) except the domestic ferret
- All non-human Primates (such as gorillas and monkeys)
- All Perissodactylus Ungulates, except the domestic horse, mule, and ass
- All Pinnipeds (such as seals, fur seals, and walruses)
- All Procyonids (such as raccoons, coatis, and cacomistles)
- All Raptors, diurnal and nocturnal (such as eagles, hawks, and owls)
- All Ratite Birds (such as ostriches, rheas, and cassowaries)
- All snakes of the families Pythonidae and Boidae
- All Ursids (bears)
- All venomous Reptiles and Amphibians
- All Viverrids (such as mongooses, civets, and genets).

Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.

Schedule “D”

SCHEDULE “L”

AMOUNTS WHICH WILL BE ACCEPTED BY CITY IN LIEU OF PROSECUTION

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|----------------------|--|---------------|
| Section 3 (1) | Allowing cat to become a nuisance | \$100.00 |
| Section 3.1 | Exceeding maximum number of cats | \$200.00 |
| Section 7 (1) | Failure to clean, alter, demolish or Relocate cat run | \$200.00 |
| Section 8 | Failure to remove defecation upon request | \$100.00 |
| Section 9 | Unlicensed dog | \$100.00 |
| Section 10(10) | False information | \$100.00 |
| Section 10.1(1) | Exceeding maximum number of dogs | \$100.00 |
| Section 10.1(2) | Canadian Kennel Club member exceeding maximum number of dogs | \$100.00 |
| Section 11(2) | Dog was not wearing dog tag off the owner’s property | \$100.00 |
| Section 12 | Dog at large | \$100.00 |
| Section 13 | Upset waste receptacle | \$100.00 |
| Section 14(1) | (a) Biting a person(s) | \$200.00 |
| | (b) Injure a person(s) | \$200.00 |
| | (c) Chase or otherwise threaten a person(s) | \$150.00 |
| | (d) Cause damage to property or other animals | \$200.00 |
| | (e) Cause death to a person or other animal | \$400.00 |
| Section 15 | (1) Permitting a dog to become a nuisance | \$100.00 |
| | (2) Disobeying Judges order | \$200.00 |
| Section 16 | (1) Defecation – property other than owner | \$100.00 |
| | (2) Defecation – owner’s property not cleaned daily | \$100.00 |
| | (3) Allowing animal feces to accumulate on property | \$150.00 |

*Subsequent Offence committed within twelve (12) months of the first offence –
DOUBLE THE ABOVE SCHEDULE*

Bylaw No. 5/2018 A Bylaw Providing for the Licensing, Prohibiting, Regulating and Controlling of Animals Page 40 of 42

Schedule “D” continued

SCHEDULE “L” Continued

AMOUNTS WHICH WILL BE ACCEPTED BY CITY IN LIEU OF PROSECUTION

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|----------------------|---|---------------|
| Section 19(3) | Interference with enforcement | \$500.00 |
| Section 21(2) | Fail to license or vaccinate dog pursuant to Section 21(2) | \$100.00 |
| Section 24(4) | Failure to clean, alter, demolish or relocate dog run | \$200.00 |
| Section 27(1) | Permitting a dog in prohibited areas | \$100.00 |
| Section 28(a) | Untie or free an animal | \$100.00 |
| (b) | Willfully open gate or door | \$100.00 |
| (c) | Tease; throw things at dog | \$100.00 |
| Section 29 | Failed to keep female dog in heat housed | \$100.00 |
| Section 31 | Failure to allow dog to be isolated | \$100.00 |
| Section 32(2)(a) | Failure to prevent aggressive dog biting, injuring, chasing or attacking a person or animal whether on the property of the owner or not | \$400.00 |
| (2)(a) | Failure to prevent aggressive dog causing death to a person or domestic animal, whether on the property of the owner or not | \$500.00 |
| (b)(i) | Aggressive dog not fenced and chained or signed | \$300.00 |
| (ii) | Aggressive dog in dwelling not under control by person over 16 years of age | \$400.00 |
| (c)(i) | Aggressive dog not muzzled | \$400.00 |
| (ii) | Aggressive dog not harnessed or leashed | \$400.00 |
| (4) | Failure to notify change of address | \$300.00 |
| (5) | Failure to report sale, move or giving away of aggressive dog | \$300.00 |
| (6) | Failure to erect enclosure within 30 days | \$300.00 |

*Subsequent Offence committed within twelve (12) months of the first offence –
DOUBLE THE ABOVE SCHEDULE*

Schedule “D” continued

SCHEDULE “L” *Continued*

AMOUNTS WHICH WILL BE ACCEPTED BY CITY IN LIEU OF PROSECUTION

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|-----------------------------|---|----------------------|
| Section 36(1) | Own a dog for dog fighting | \$500.00 |
| (2) | Failure to post dangerous dog signs | \$400.00 |
| (3) | Failure to comply with Order | \$500.00 |
| (4) | Failure to prevent dangerous dog from attacking, biting, chasing, or injuring another person or domestic animal | \$500.00 |
| (4) | Failure to prevent dangerous dog from killing a person or domestic animal | \$600.00 |
| Section 46.1 (1) | Keeping honeybees without licence | \$200.00 |
| Section 46.1 (2) | Exceeding number of hives or supers | \$100.00 |
| Section 47(1) | Owning and harbouring Exotic and/or Wild Animals | \$400.00 |
| (2) | Buying, selling, trading or exhibiting Exotic and/or Wild Animals | \$500.00 |
| (3) | Exotic and Wild Animals at large | \$200.00 |
| Section 48 | Owning a Columbidae family bird, poultry, or Livestock | \$200.00 |
| Section 50 (6) | Failure to comply with the conditions of the Declaration to Successfully Complete Obedience Class | \$150.00 |

*Subsequent Offence committed within twelve (12) months of the first offence –
DOUBLE THE ABOVE SCHEDULE*

CITY OF YORKTON

BYLAW NO. 5/2018

A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE LICENSING, PROHIBITING, REGULATING AND CONTROLLING OF ANIMALS WITHIN THE CITY OF YORKTON

Known as ‘The Animal Control Bylaw’

04/02/2018

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**City of Yorkton
Saskatchewan**

Bylaw No. 5/2018

**A Bylaw to Provide for the Licensing, Prohibiting,
Regulating and Controlling of Animals and the Being at Large of Animals Within the City
of Yorkton**

WHEREAS, Section 8 of *The Cities Act* authorizes a Council to license, regulate and control any animal or class of animals; and

THEREFORE, the Council of the City of Yorkton in Council assembled enacts as follows:

PART 1: INTERPRETATION

Title and Purpose

1. (1) This Bylaw may be referred to as “THE ANIMAL CONTROL BYLAW”.
- (2) The purpose of this Bylaw is to promote the safety, health and welfare of people and the protection of people and property in the City of Yorkton, to ensure the humane treatment and control of animals and to regulate or prohibit the keeping of vicious animals within the City.

Definitions

2. In this Bylaw, unless otherwise specified:

“**Aggressive dog**” means any dog, whatever its age, whether on public or private property which has without provocation;

- (a) exhibited threatening behavior which creates a reasonable threat of physical injury and may include growling, lunging, snarling or chasing in a menacing fashion; and/or
- (b) caused serious injury which means a physical injury to another domestic animal or person that results in lacerations that may require sutures; and/or
- (c) bitten a person or persons whether on the property of the owner or not; and/or
- (d) done any act to injure a person or persons whether on the property of the owner or not; and/or
- (e) chased or otherwise threatened a person or persons whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner; and/or
- (f) caused death to an animal or person;

“**Animal Control Officer**” means the City Poundkeeper, any person appointed by Council for the purpose of bylaw enforcement, any member of the Yorkton Detachment of the RCMP and any other person or agency appointed by Council to restrain, receive or impound dogs;

“Animal Shelter” means any facility designated as such by the City, and shall include the Pound;

“At Large” means, if the animal is off the premises of its owner, and/or not on a leash under immediate, continuous and effective control of its owner;

“Business Day” means any day that the City Office is open for business;

“Cat” means either the male or female of the feline family;

“City” means the municipal corporation of the City of Yorkton and the area contained within its boundaries;

“Council” means the Council of the City of Yorkton;

“Dog” means ~~either male or female of the canidae family that is domesticated and includes every dog of either sex; and, shall include pups under six (6) months not spayed or neutered and any female dog that has been spayed and any male dog that has been neutered;~~

“Dog Run” means a permanent structure outside of a residential dwelling unit, used for the containment of a dog;

“Excessive Barking” means barking or any noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the comfortable enjoyment of life or property in the neighbourhood.

“Judge” means a Provincial Court Judge or a Justice of the Peace designated to hear Bylaw hearings;

“Kennel” means any structure used by any person for boarding or otherwise caring for, training or whelping dogs ~~exceeding three (3) dogs in number over the age of three (3) months, whether or not for payment,~~ but does not include:

- (a) any premises occupied by a duly qualified veterinary surgeon for the practice of his profession; or
- (b) the dwelling house of an ordinary member of the Canadian Kennel Club, or any other Bona fide Kennel Club, ~~where the total number of dogs kept by the member does not exceed five (5) in number.~~

“Leash” means a chain or other material capable of restraining the dog on which it is being used;

“License Year” means the period from January 1 to December 31 of the same year, both dates inclusive;

“Livestock” shall mean cattle, horses, mules, asses, sheep, goats, or swine;

“Non-profit animal rescue/welfare organization” means a non-profit corporation that is incorporated, continued or registered pursuant to *The Non-Profit Corporation Act* or equivalent from other provinces or federally incorporated non-profit corporation; and which is approved and registered by Canada Revenue Agency as a charity;

“Nuisance” means an animal which is behaving in a manner that interferes with the personal comfort or amenities of a neighborhood;

“Nuisance Dog” means a dog declared to be a nuisance by the Animal Control Officer in accordance with Section 18 of this Bylaw;

“Owner” includes:

- (a) a person(s) who keeps, possesses, harbours or has charge of or control over an animal;
- (b) the person(s) responsible for the custody of a minor where the minor is the owner of an animal;

but does not include:

- (c) a veterinarian registered pursuant to *The Veterinarians Act, 1987*;
- (d) the City or the Saskatchewan Society for the Prevention of Cruelty to Animals in respect of an animal shelter or impoundment facility operated by it;

“Person” includes an individual, partnership, association or corporation;

“Poultry” means a chicken, turkey, duck, goose, or other domestic fowl;

“Pound” means such premises and facilities as may be designated by the City, from time to time, as the City pound;

“Poundkeeper” means a person, persons, or association designated by the City from time to time to maintain and administer the pound;

“Provocation” means an act done intentionally for the purpose of provoking an animal to which this Bylaw applies;

“Public Health Officer” means a public health officer appointed under the *Public Health Act*;

“Public Playground” means the fallzone safety surface immediately surrounding the play equipment plus a three metre buffer around the fallzone safety surface, specifically in a park or municipal reserve owned by the City or under the management and control of the City (*see Figure 1.1*);

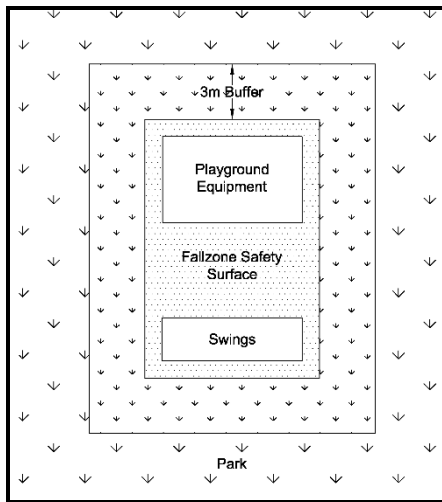


Figure 1.1

“Service Dog” means an animal that is trained to be used by:

- (a) a person with a disability for reasons relating to his or her disability;
- (b) a peace officer in the execution of his or her duties; or
- (c) a person who is authorized by a peace officer to assist peace officers in their duties;

“Sports Field” means a ball diamond playing field or soccer pitch playing field, plus a three metre buffer around the playing field, and shall only mean ball diamonds and soccer pitches owned by the City or under the management and control of the City.

PART 2: CATS

For the purposes of Part 2 of this Bylaw, “nuisance or at large” includes, but not limited to, fighting with other cats, defecating or spraying on private property without permission of the owner or occupant of the property, howling or hissing at night, digging in flower beds or garbage containers ~~and trespassing on private property~~.

Nuisance or at Large

3. (1) The owner of a cat shall ensure that the cat is not being a nuisance or at large.

~~(2) Where a cat is at large, the owner or occupant of the property on which the cat is at large may file a complaint to the Animal Control Officer or designate.~~

Harbouring Cats

3.1 (1) ~~No property shall house more than five (5) cats over the age of six (6) months within the City of Yorkton.~~

~~(2) Notwithstanding Clause 3.1(1), exceptions may be granted at the discretion of the Animal Control Officer for houses fostering cats through a non-profit animal rescue/welfare organization, provided the cats are not a nuisance.~~

Impoundment

4. (1) ~~Where an Animal Control Officer receives a complaint of a nuisance caused by a cat, the Animal Control Officer may at their his discretion:~~

- (a) Issue a trap to the complainant following completion of a Cat Trap Permit by the complainant (as set out in Schedule “A”); or
 - (b) If deemed necessary by the Animal Control Officer, he may seize and impound any cat found causing a nuisance.
- (2) Any person may restrain any cat found at large or becoming a nuisance in the City of Yorkton and shall deliver the cat so restrained to the Poundkeeper for impoundment. The person shall leave with the Poundkeeper a statement in writing, describing the name of the owner (if known), and the place and time of restraint.
- (3) Where a trap is issued pursuant to clause 4(1)(a), the complainant shall:
- (a) Abide by the terms of the Cat Trap Permit agreement;
 - (b) Personally check the trap every two hours while the trap is set;
 - (c) In the event a cat is trapped, immediately deliver the cat to the Poundkeeper, who may impound the cat.
- (4) Where a cat is impounded, the Poundkeeper shall:
- (a) Hold the cat until claimed by the owner of the cat or disposed of in accordance with Section 5~~(5)~~ and/or Section 6;
 - (b) Attempt to notify the owner of the cat (if known) of the impoundment. However, no liability whatsoever shall attach to the City, the Animal Control Officer or the Poundkeeper by reason of failure in contacting the owner.
- (5) An Animal Control Officer or a Veterinarian may take immediate action to humanely destroy any sick or injured cat found within the City where, in his opinion immediate destruction of the cat is necessary to avoid unnecessary suffering by the animal.
- (6) It shall be the duty of the Poundkeeper to provide each cat impounded under the authority of this Bylaw, an adequate supply of food and fresh water during its confinement in the animal shelter and to maintain clean and properly ventilated pens or enclosures for impounded cats.

Release

5. (1) The Poundkeeper shall keep all impounded cats for a period of at least 72 hours, excluding the day of impounding. Sundays and statutory holidays shall not be included in the computation of the 72 hour period. Where a cat is not claimed within the 72 hours, the Poundkeeper may dispose of the cat by public adoption or by euthanasia, in accordance with Section 6.
- (2) An owner of a cat which has been impounded may claim the cat by:
- (a) Providing reasonable proof of ownership to the Poundkeeper;
 - (b) Paying the impoundment charge and a housing charge, as set forth in Schedule “B”;
and
 - (c) Payment of any fines received due to the incident that cause the cat to be impounded.
- (3) Notwithstanding the above, any cat suspected of having rabies or other life threatening disease shall be isolated and may not be claimed, destroyed or otherwise disposed of except

after notice to the Public Health Officer and then only in compliance with the direction of the Public Health Officer and the Veterinarian or Rabies Risk Assessment Veterinarian.

Disposal of Unclaimed Cats

6. (1) A cat will be considered disposed of and become the property of the Poundkeeper if the impounded cat is not claimed in accordance with Section 21 of the Bylaw or if an owner relinquishes the cat to the Pound. The cat may be disposed of by the Poundkeeper without further notice in the following manner:
 - (a) Disposal by adoption, where in the opinion of the Poundkeeper, the cat is suitable for adoption;
 - (b) Disposal by euthanasia where in the opinion of the Poundkeeper, the cat is not suitable for adoption;
 - (c) Disposal by euthanasia if the cat is not adopted within a reasonable time, at the discretion of the Poundkeeper.
- (2) The proceeds received from the adoption are kept by the Poundkeeper as provided for in the agreement between the City and the Poundkeeper.
- (3) The Council may, by resolution, enter into an agreement with any person or organization for the purpose of participation in the enforcement of this Bylaw or for the purpose of providing pound keeping services.

Cat Runs

7. (1) Where cats are housed or kept in a cat run, the owner of the cats shall:
 - (a) Remove all defecation from the cat run daily and dispose of in a sanitary manner;
 - (b) Ensure that the cat run meets the following minimum requirement:
 - i. Base and flooring constructed or composed of impervious material or wood;
 - ii. Located no closer than one metre of any property line and no closer than five metres of any neighbouring dwelling unit.

Defecation

8. (1) ~~No owner of a cat shall fail, on request, to immediately remove any defecation of the cat from private property, other than property owned or occupied by the owner, and dispose of the defecation in a sanitary manner.~~ No owner shall allow an animal's defecation to accumulate on the property where the animal is kept to such an extent that, in the opinion of the Animal Control Officer, it is reasonably likely to annoy or pose a health risk to others.
- (2) An owner of an animal shall remove the animal's defecations from the property where the animal is kept and shall dispose of the defecation in a sanitary manner.

PART 3: DOGS

Responsibility of Dog Owners

Dog Licenses Required

9. No person shall ~~own or keep any dog within the City have care and control of a dog~~ unless it has ~~been a valid~~ licensed ~~for the current year~~ as provided in this Bylaw.

Licensing

10. (1) Every owner of a dog over the age of six months shall obtain a license within 30 days of becoming the owner and pay an annual fee as set out in Schedule “C”.

- (2) The license year for dogs shall be from January 1st to December 31st of the same year. Licenses must be renewed by March 1st of each year.

- (3) The license will not be transferable to any other dog or other owner.

~~—(4) No property shall house more than three dogs over the age of three months within the City of Yorkton.~~

~~(5) Any property that is registered with the Canadian Kennel Club or any other bona fide kennel club shall keep no more than five dogs.~~

- (6) When applying for a license, the applicant must provide the following information:

- (a) Name and address of the owner or the keeper of the dog;
- (b) Description of the dog;
- (c) Breed of the dog;
- (d) Proof that the dog has been vaccinated against rabies within two years of the date of application for the license; and
- (e) Other relevant information that may be required for the Animal Control Officer or appointed representative.

- (7) The provisions of Section 10 shall not apply to dogs kept in the ordinary course of business by the proprietors of the following premises, namely:

- (a) A veterinary hospital, clinic, boarding kennel, or grooming parlor;
- (b) A public pound;
- (c) A shop whose business includes the sale of pets and is licensed as such;
- (d) A shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals;
- (e) RCMP – Police Service dogs acting in performance of Police work;
- (f) **Non-profit animal rescue/welfare organizations.**

- (8) A license issued pursuant to this bylaw is non-refundable and automatically revoked if the payment is returned to the City of Yorkton for any reason.

- (9) A Service Dog, must be licensed as provided by this Bylaw, but at no charge for the license.

(10) No person shall give false information when applying for a dog license.

Harbouring Dogs

10.1 (1) No property shall house more than three (3) dogs over the age of six months within the City of Yorkton.

(2) Any property that is registered with the Canadian Kennel Club or any other bona fide kennel club shall keep no more than five (5) dogs.

(3) Notwithstanding Clause 10.1(1), exceptions may be granted at the discretion of the Animal Control Officer for houses fostering dogs through a non-profit animal rescue/welfare organization. The non-profit animal rescue/welfare organization shall be required to follow all other requirements of this Bylaw.

Dog Tag

11. (1) When issuing a license for a dog, the City of Yorkton will provide the applicant with a tag and a receipt for the license fee.

(2) The owner must ensure that the dog wears the ~~current~~-valid dog tag when the dog is off the property of the owner.

(3) The owner must notify the City immediately if the dog tag is lost.

(4) The owner must notify the City immediately if the address the dog resides at changes.

Nuisances

General

12. (1) All dogs, when off the premises of its owner, must not be at large.

(2) If a dog is found to be at large the owner shall be deemed to have permitted the dog to be at large, and shall be guilty of an offence.

(3) Notwithstanding subsection (1), a dog may be off-leash at the off-leash dog park listed in Schedule "D".

13. The owner of a dog must ensure that his/her dog will not upset any waste receptacles or scatter the contents on a street, lane, or other public property, or on property not belonging to the owner of the dog.

14. (1) The owner of a dog must ensure that his/her dog will not:

- (a) Bite a person or persons whether on the property of the owner or not;
- (b) Do any act to injure a person or persons whether on the property of the owner or not;
- (c) Chase or otherwise threaten a person or persons whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;

- (d) Cause damage to property or other domestic animals;
- (e) Cause death to people or other domestic animals.

Barking and Howling

~~15. (1) No owner of a dog shall allow the animal to become a nuisance by the sound of howling, whining or excessive barking, which can be heard by a person not on the same premises and which unreasonably disturbs or is likely to disturb the quiet, peace, rest enjoyment, comfort or convenience of that person.~~

~~(2) A Judge, after convicting the owner of a dog of an offence under Section 15(1) may, in addition to any other penalties, impose the following:~~

- ~~(a) Direct the Animal Control Officer dog owner to give notice to such owner requiring the nuisance complained of to be abated so as to prevent the recurrence of any nuisance;~~
- ~~(b) Removal of the dog from city limits; or~~
- ~~(c) If such nuisance continues, Order said dog to be destroyed upon notice being given to the owner, unless the owner voluntarily agrees to dispose of the dog.~~

~~(3) Failure to comply with this section will constitute an offence under this Bylaw.~~

15. (1) No owner of a dog shall permit the dog to bark or howl so as to create a nuisance.

(2) For the purposes of this section, the factors for determining whether the barking or howling of a dog has become a nuisance are as follows:

- (a) the proximity of the barking or howling to sleeping facilities;
- (b) the land use, nature and zoning of the area from which the barking or howling emanates and the area where it is received or perceived;
- (c) the time of day or night the barking or howling occurs;
- (d) whether the barking or howling is the result of provocation;
- (e) the volume of the barking or howling; and
- (f) whether the barking or howling is recurrent, intermittent or constant.

(3) Barking or howling in a residential area is deemed to be a nuisance if the barking or howling persists for a period of:

- (a) 15 consecutive minutes or longer; or
- (b) 1 hour or longer, intermittently.

(4) Failure to comply with this section will constitute as an Offence under this Bylaw. The fine for barking or howling shall be set out in Schedule "L".

Defecation

16. (1) If a dog defecates on any property other than the owners, the **dog** owner shall remove such feces immediately.

(2) Any dog owner shall remove any and all dog feces **from their property** on a daily basis and shall dispose of the feces in a sanitary manner.

(3) An owner or occupant of private property must not allow animal feces to accumulate on the property.

~~(4) An Animal Control Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 24 hours of service of the notice in accordance with Section 51.~~

~~(5) The City may remove the feces from the property if:~~

- ~~(a) The person to whom the request is made fails to remove the feces within 24 hours; or~~
- ~~(b) After reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.~~

~~(6) If the City carries out the work under subsection (5), the costs and expenses incurred are a debt due to the City.~~

~~Dogs in Vehicles~~

~~17. Dogs shall not be left unattended in any motor vehicle unless the dog is secured and is provided with suitable ventilation.~~

Nuisance Dogs

18. (1) An Animal Control Officer may declare a dog a Nuisance Dog after three Notice of Violation tickets have been issued for offences under Sections 12, 13, 14, 15, 16, or 17 of this Bylaw, within a period of one year.
- (2) The declaration of a dog as a Nuisance Dog shall be reviewed annually by the Animal Control Officer, who shall remove the declaration after a period of two years has passed with no Notice of Violation tickets issued.

Impoundment of Dogs

Detainment

19. (1) The Animal Control Officer may seize and impound:
- a) Any dog found at large;
 - b) Any unlicensed dog found to be subject of a complaint; and/or
 - c) Any dog that has caused or alleged to have caused injury to a person or domestic animal.
- (2) The Animal Control Officer may enter onto the land surrounding any building in pursuit of any dog which has been observed at large.
- (3) No person, including the person who is the owner of a dog which is being impounded or has been impounded, shall interfere with a Poundkeeper or Animal Control Officer who is impounding any dog in accordance with the provisions of this Bylaw.

Ability to Restrain Dog

20. Any person may restrain any dog at large in the City and must deliver such dog to the Animal Control Officer or Poundkeeper for impoundment. The Animal Control Officer or Poundkeeper may request a statement in writing describing the dog restrained, the name of the owner (if known) and the place and time of restraint.

Detainment and Release

21. (1) The Poundkeeper shall keep all impounded dogs for a period of at least 72 hours, excluding the day of impounding. Sundays and statutory holidays shall not be included in the computation of the 72 hour period.
- (2) During this period, the owner may reclaim the dog from the pound following:
- a) Payment to the Poundkeeper of the fees set out in Schedule “B”;
 - b) Payment of any fines received due to the incident that caused the dog to be impounded;
 - c) Purchase of a dog license (if the dog is unlicensed), unless the dog is not required to be licensed in accordance with Section 10;
 - d) A certificate being produced that the dog has been vaccinated against rabies within the last two years;
 - e) If a dog has not been vaccinated for rabies in the last two years, requirements of subsection (d) may be met by the dog owner completing a declaration as provided in Schedule “E” and pre-paying the Poundkeeper for the cost of the rabies vaccination.
 - f) Failure to carry out the requirements specified on a declaration made pursuant to section 21(2)(f) shall constitute a contravention of this Bylaw.
- (3) If a dog impounded is wearing a valid license tag ~~for the current year~~, the Poundkeeper shall immediately notify the owner by telephone or in writing of the impoundment of the dog at the telephone number or address shown in the license records. No liability whatsoever shall attach to the City or the Poundkeeper by reason of the failure of the owner to receive such notice.
- (4) If a dog is not reclaimed within the period set out in Subsection (1), or if the owner of a dog fails or refuses to comply within this period with the conditions set out in Subsection (2), the Poundkeeper may dispose of the dog.

Disposal of Unclaimed Dogs

22. (1) An animal will be considered disposed of and become the property of the Poundkeeper if the impounded animal is not claimed in accordance with Section 21 of the Bylaw or if an owner relinquishes the dog to the Pound. The dog may be disposed of by the Poundkeeper without further notice in the following manner:
- (a) Disposal by adoption, where in the opinion of the Poundkeeper, the dog is suitable for adoption;
 - (b) Disposal by euthanasia where in the opinion of the Poundkeeper, the dog is not suitable for adoption;
 - (c) Disposal by euthanasia if the dog is not adopted within a reasonable time, at the discretion of the Poundkeeper.

- (2) The proceeds received from the adoption are kept by the Poundkeeper as provided for in the agreement between the City and the Poundkeeper.
- (3) The Council may, by resolution, enter into an agreement with any person or organization for the purpose of participation in the enforcement of this Bylaw or for the purpose of providing pound keeping services.

Responsibility of Poundkeeper

23. It shall be the duty of the Poundkeeper to provide to each dog impounded under the authority of this Bylaw, an adequate supply of food and fresh water during its confinement in the animal shelter and to maintain clean and properly ventilated pens or enclosures for impounded dogs.

Miscellaneous

Dog Runs

24. (1) Where a dog is housed or kept in a dog run, the owner must ensure that the dog run is kept in a sanitary condition protecting the health and safety of the dog.
- (2) An owner must ensure the dog run on the owner's property is not located in the front yard and is a minimum of one metre from the property line and a minimum of five meters from a dwelling unit located on an adjacent property.
- (3) An owner must ensure that a dog run on the owner's property is constructed of material of sufficient strength and in a manner adequate to:
 - (a) Confine the dog; and
 - (b) Prevent the entry of children.
- (4) If, in the opinion of the Animal Control Officer, the condition or location of a dog run is not in accordance with this Bylaw, the Animal Control Officer may order the owner of the property on which the dog run is located, to clean, alter, demolish or relocate the dog run ~~within the time period specified in the Order~~. Failure to Comply with the Order is deemed an Offence.
- (5) The person to whom an Order is issued pursuant to subsection (4) must comply with the Order within the time specified in the Order.
- (6) An Order to relocate a dog run issued pursuant to subsection (4) will allow the owner of the property on which the dog run is located, at least 15 days to relocate or remove the dog run.

Kennels

25. The operation of any kennel within the City must comply with the provisions of all Bylaws regulating the operation of kennels and businesses within the City.

Humane Destruction of Sick and Injured Animals

26. (1) An Animal Control Officer or a Veterinarian shall take immediate action to humanely destroy any sick or injured animal found within the City where, in his/her opinion, immediate destruction of the animal is necessary to avoid unnecessary suffering by the animal.
- (2) Reasonable efforts will be made to contact the owner of an animal before it is destroyed; however no action lies against the Animal Control Officer or Veterinarian solely because the owner of the animal was not contacted.

Prohibited Areas

27. (1) The areas listed in Schedule “G” are designated as areas where dogs are not permitted.
- (2) This section does not apply to a service dog.

Miscellaneous

28. (1) No person may:
- (a) Untie, loosen or otherwise free an animal which has been tied or otherwise restrained;
 - (b) Negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allow an animal to be at large in the City; or
 - (c) Tease, entice, bait or throw objects at a dog confined within its owner’s property.
29. Every female dog in heat must be housed or confined to a kennel.

Quarantine of Animals

30. Where a dog has bitten a person, the owner of the dog shall, unless the dog is ordered destroyed, quarantine the dog for observation for symptoms of rabies for a period of not less than ten days in accordance with the *Health of Animals Act* (Canada).

Rabies Test of Animals

31. (1) Any dog suspected of having rabies or other life threatening disease will be isolated and may not be claimed from the pound, destroyed or otherwise disposed of except after notice to the Public Health Officer, and then only in compliance with the direction of the Public Health Officer and the Veterinarian or Rabies Risk Assessment Veterinarian.
- (2) Every person who destroys a dog following the non-fatal biting of a person or domestic animal, whether the destruction is pursuant to an Order of a Judge or court or at the decision of the owner of the dog, shall, if the destruction is carried out before the completion of the quarantine period mentioned in Section 30, retain the head of the dog in a manner usable for testing the dog for rabies.
- (3) Where a person destroys a dog in the circumstances described in subsection (2), the person shall immediately notify a Veterinarian or an Animal Control Officer that he is in possession of the head of a dog to be tested for rabies.

Aggressive Dogs

32. (1) A dog may be deemed aggressive:

- (a) After the Animal Control Officer receives a written report of an aggressive dog incident. The Animal Control Officer shall complete an investigation ~~and report~~. After the investigation, if there is sufficient evidence, the Animal Control Officer may deem the dog an aggressive dog where he/she feels it is in the best interest of public safety; or
- (b) After any dog ~~owner~~ is found guilty of an offence listed under Section 14 of this Bylaw either on Summary Conviction or by paying a Voluntary Fine for an offence listed under Schedule “L”, specifically for offences relating to Section 14 of this Bylaw.

(2) Any owner of an aggressive dog must ensure that:

- (a) It does not bite, injure, chase, attack or cause death to a person or other domestic animal whether on the property of the owner or not;
- (b) When it is on the property of the owner it is confined in:
 - (i) An enclosed area as described in Schedule “J” marked with a sign as illustrated in Schedule “H” indicating the presence of an aggressive dog; or
 - (ii) A dwelling and under the control of a person over the age of 16 years; and
- (c) When it is off the property of the owner it is securely:
 - (i) Muzzled, and
 - (ii) Harnessed or leashed in a manner that prevents it from biting, chasing, attacking or causing death to a person or other animal.

(3) After a period of two years after a dog has been deemed an “aggressive dog” the owner may apply in writing to the Animal Control Officer requesting that the dog no longer be deemed aggressive. This may only be granted after the owner proves the following:

- (a) That the dog did not, during the preceding two years:
 - (i) Bite a person or persons whether on the property of the owner or not;
 - (ii) Do any act to injure a person or persons whether on the property of the owner or not;
 - (iii) Chase or otherwise threaten a person or persons whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - (iv) Cause damage to property or other domestic animals; or
 - (v) Cause death to an animal or person; and

(b) Provide proof the dog has successfully completed an obedience training class.

(4) Where the aggressive dog is moved to a different city or municipality, the owner shall notify the City of where the aggressive dog is being moved to.

(5) Where the aggressive dog is to be sold or given away, the owner shall:

- (a) Notify any prospective owner that the dog has been declared aggressive before it is sold or given away as the aggressive dog designation will apply to new owners as well; and
 - (b) Notify the City of the name, address and telephone number of any new owner of the aggressive dog.
- (6) An approved enclosure must be erected or in place within 15 days of receiving an aggressive dog Order. Failure to erect an enclosure within the time period allowed is an offence under this Bylaw.
- (7) For the purposes of this section, an animal is presumed not to have been provoked, in the absence of evidence to the contrary.
- (8) No dog shall be considered aggressive while the dog was:
- (a) Acting in the performance of police work; or
 - (b) Working as a guard dog on commercial property:
 - (i) Securely enclosed on the property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children; and
 - (ii) Defending that property against a person who was committing an offence.

PART 4: DANGEROUS ANIMALS

Dangerous Animals

33. (1) A dog is dangerous where it is proven **in Court** that:

- (a) The animal, without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - (b) The animal has a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
 - (c) The animal has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal; or
 - (d) The animal is owned primarily or in part for the purpose of fighting or is trained for fighting.
- (2) For the purpose of this Section, an animal is presumed not to have been provoked, in the absence of evidence to the contrary.
- (3) No dog shall be considered dangerous while the dog was:
- (a) acting in the performance of police work; or
 - (b) working as a guard dog on commercial property:
 - (i) securely enclosed on property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children; and
 - (ii) defending that property against a person who was committing an offence.

Fighting Dogs Considered Dangerous

34. Notwithstanding the generality of Section 33, a dog is dangerous where it is proved that the dog is owned primarily, or in part, for the purpose of dog fighting or is trained for dog fighting.

Dangerous Animal Hearings

35. (1) If a complaint is made that an animal is dangerous, a Judge shall hold a hearing to determine if, based upon the evidence adduced at the hearing, the animal is, in fact, dangerous.

(2) Notice of the hearing referred to in subsection (1) shall be served upon the owner of the animal in accordance with Section 51.

(3) Where an owner does not appear at the time and place appointed for the hearing after having been notified of that time or place, the Judge may proceed *ex parte* to hear and determine the proceedings in the absence of the owner as fully and effectively as if the owner had appeared.

(4) If the Judge is satisfied, on the evidence, that the animal is dangerous, the Judge shall make an Order embodying all of the following terms:

(a) If the owner removes the animal from the owners property, the owner shall muzzle and leash it in accordance with the criteria prescribed in Section 42 and keep it under direct control and supervision;

(b) The owner shall inoculate the animal against rabies in accordance with the provisions of Section 43;

(c) The owner shall report the sale or other disposition of the animal to the Bylaw Services Office;

(d) Where the animal is moved to a different city or municipality, the owner shall notify the Bylaw Services Office of the City of Yorkton and the Bylaw Services Office of the municipality where the animal is being moved to;

(e) Where the animal is to be sold or given away, the owner shall:

(i) Notify any prospective owner that the animal has been declared dangerous, before it is sold or given away; and

(ii) Notify the Bylaw Services Office of the name, address and telephone number of any new owner of the animal;

(f) If the animal is unlicensed, the owner shall purchase the requisite license for the animal within ten days of the date of the Order;

(g) The owner shall have the animal micro chipped in accordance with Section 44.

(5) An order pursuant to subsection (4) may also include any or all of the following terms:

(a) The owner shall keep the animal in an enclosure which complies with the criteria prescribed in Section 45;

(b) The owner shall obtain and keep in effect liability insurance in an amount of not less than \$300,000.00 for any bodily injury to or death of any person or domestic animal, or for damage to property, caused by the animal;

(c) The owner shall display a sign, which complies with the criteria prescribed in Section 46, on the owners property warning of the presence of the animal and shall continue to display that sign in good condition so long as the animal is present on the property;

(d) The owner shall have the animal spayed or neutered; and/or

(e) The owner shall take such other measures as the Judge considers appropriate.

- (6) Notwithstanding subsection (4), a Judge may, in the alternative; order that the animal be destroyed or otherwise disposed of at the owner's expense and shall give directions with respect to the destruction or other disposition.
- (7) Where an Order has been made pursuant to subsection (5) against the owner, the owner may apply to the Judge who made the Order, that compliance with the provisions of clause (5)(b) be waived.
- (8) On an application pursuant to subsection (7), the Judge may waive compliance with clause (5)(b), on any terms and conditions that the Judge considers reasonable, where the Judge is satisfied that the owner is unable to comply with the requirements of that clause for a reason other than the owners financial circumstances.
- (9) A person desiring to appeal an Order pursuant to this section shall, within seven days of the order being issued, file a Notice of Appeal with Her Majesty's Court of Queen's Bench, and the provisions of Part XXVII of the *Criminal Code* apply with any necessary modification.
- (10) A Judge may also impose penalties for Offences noted in Section 36.

Offences and Penalties for Dangerous Animals

- 36. (1) Any person who owns a dog for the purpose of dog fighting, or trains, torments, badgers, baits or otherwise uses a dog for the purpose of causing or encouraging the dog to make unprovoked attacks on persons or domestic animals is guilty of an offence.
- (2) Any person who displays a prescribed sign warning of the presence of a dangerous animal and who is not acting in accordance with an Order made pursuant to subsection 34(5)(c) or has not received the permission of the City to display the sign is guilty of an offence.
- (3) Any person who does not comply with any part of an Order made against him or her pursuant to Section 35(4), (5) or (6) is guilty of an offence.
- (4) Any person who owns an animal that, without provocation, attacks, assaults, wounds, bites, injures or kills a person or domestic animal, is guilty of an offence.
- (5) A person who is guilty of an offence pursuant to this section is liable on summary conviction:
 - (a) In the case of an individual, to a fine not exceeding \$10,000.00, or imprisonment for not more than one year, or both;
 - (b) In the case of a corporation, to a fine not exceeding \$25,000.00, or imprisonment of the directors of the corporation for not more than one year, or both.

Order Binds Subsequent Owner

- 37. An Order issued pursuant to Section 35 continues to apply if the animal is sold or given to a new owner or is moved to a different municipality.

Execution of Destruction Order

38. (1) Unless the owner otherwise agrees, every Order for destruction of an animal shall state that it shall not be implemented for eight days.
- (2) Where an Appeal is taken against an Order for the destruction of an animal, the application of the Order is stayed pending the disposition of the Appeal.
- (3) Regardless of the outcome of the Appeal, the owner shall be responsible for the payment of the costs of impoundment of the animal pending the hearing.
- (4) Where the Judge on Appeal overturns the Order for destruction of the animal, the animal shall be released to the owner after the owner has paid the costs of impoundment of the animal pending the hearing.

Destruction by Peace Officers

39. (1) A Peace Officer as defined by the *Criminal Code* may destroy any animal that the Officer finds injuring or viciously attacking a person or domestic animal.
- (2) Where the Officer acted in good faith, a Peace Officer who destroys an animal pursuant to subsection (1) is not liable to the owner for the value of the animal.

Entry and Search

40. If a Peace Officer as defined by the *Criminal Code*, an Animal Control Officer or a designated officer has reasonable grounds to believe that an animal that is dangerous or has been ordered to be destroyed or otherwise disposed of is in or on any premises, the Peace Officer, Animal Control Officer or designated officer may enter the premises and search for and impound the animal in accordance with Section 327 of *The Cities Act*.

Charges May Be Added to Property Taxes

41. (1) In accordance with Section 333(2)(c) of *The Cities Act*, if a person owes the City for costs incurred by the City with respect to a dangerous animal, the City may add the amount owing to the tax roll of any parcel of land for which the person is the assessed person.
- (2) If an amount is added to the tax roll of a parcel of land pursuant to subsection (1), the amount:
- (a) Is deemed for all purposes to be a tax imposed pursuant to *The Cities Act* from the date it was added to the tax roll; and
 - (b) Forms a lien against the parcel of land in favour of the City from the date it was added to the tax roll.

Criteria for Muzzle and Leash for Dangerous Animals

42. (1) Where an animal that has been declared dangerous pursuant to Section 35 is removed from the owners property, the animal shall be equipped with a muzzle and be secured by a leash in accordance with the following criteria:

- (a) The animal shall be fitted with a collar or harness for the body that is properly placed and fitted on the animal;
- (b) The movement of the animal shall be controlled by a person by means of a leash attached to the collar or harness of the animal;
- (c) The leash shall not exceed 1.2 meters in length and shall be constructed of a material having a tensile strength of at least 40 kilograms;
- (d) The muzzle on the animal shall be properly fitted on the animal to prevent it from biting any animal or person;
- (e) The muzzle shall be fitted on the animal in a manner that it will not interfere with the vision or respiration of the animal.

Requirements for Inoculation of Animals

43. (1) Where an animal has been declared to be dangerous pursuant to Section 35, the owner of the animal shall, at the owners expense and within ten days of the date of the Order of the Judge declaring the animal to be dangerous, have the animal inoculated against rabies by a veterinarian and provide proof to the Animal Control Officer that the dog has been inoculated.
- (2) Where the owner of an animal provides proof that the animal has been inoculated against rabies during the period of 12 months prior to the date of the Order, the owner is not required to comply with subsection (1) until the expiration of 12 months from the date of inoculation of the animal.
- (3) The owner of an animal shall have the animal inoculated within each 12 month period following the inoculation mentioned in subsection (1) or (2) during the lifetime of the animal.

Requirements for Microchipping of Dangerous Animals

44. Where an animal has been declared dangerous pursuant to Section 35, the owner of the animal shall, at the owner's expense and within ten days of the date of the Order, cause the animal to be microchipped by a veterinarian and provide proof of the same to the Animal Control Officer.

Requirements for Enclosures for Dangerous Animals

45. (1) If a Judge orders, pursuant to Section 35, that an animal be kept in an enclosure, the enclosure must comply with the following criteria:
- (a) The enclosure shall be constructed of wood or any other building material of sufficient strength and in a manner adequate to:
 - (i) Confine the animal; and
 - (ii) Prevent the entry of children;
 - (b) The entrances and other areas by which entry to or exit from the enclosure may be made shall be locked or fastened in a manner adequate to prevent the animal from escaping from the enclosure;
 - (c) The enclosure shall be at least 3 meters in length, 1.5 meters in width and 1.8 meters in height;
 - (d) The enclosure shall have a top secured to the sides of the enclosure;
 - (e) The enclosure shall:
 - (i) Have a floor secured to the sides of the enclosure; or

- (ii) The sides of the enclosure shall be embedded in the ground to a depth of at least 0.6 meters;
- (f) The enclosure shall:
 - (i) Provide protection from the elements for the animal;
 - (ii) Provide adequate light and ventilation for the animal; and
 - (iii) Be kept in a sanitary and clean condition.

Requirement for Signage

46. (1) Where an animal has been declared dangerous pursuant to Section 35, the owner of the animal shall, within ten days of the date of the Order of the Judge declaring the animal to be dangerous, display a sign on his or her premises warning of the presence of the animal in the form illustrated in Schedule “I”.
- (2) A sign required by subsection (1) shall be placed at each entrance to the premises where the animal is kept and on the enclosure in which the animal is confined.
- (3) A sign required by subsection (1) shall be clearly visible and capable of being read from any adjacent public road.

PART 5: CONTROL AND REGULATION OF EXOTIC, ~~AND WILD~~ AND CERTAIN DOMESTICATED ANIMALS

Keeping of Bees

- 46.1 (1) (a) No person shall own or harbour honeybees without a valid beekeeping licence for the current year and pay the corresponding fee as contained in Schedule “C”.
- (b) The Bylaw & Safety Supervisor may refuse to issue or may revoke a licence issued pursuant to this section by providing written notice to the licensee.
- (2) No person shall keep more than one active hive with six supers on one property.
- (3) All honey beekeepers must adhere to *The Apiaries Act* and *The Apiaries Regulations*.
- (4) The hive must be set up in the rear of the property.
- (5) No person shall place the hive within three (3) metres of any property line or a 6 foot hedge/fence must be between neighbouring property lines.
- (6) All beekeepers must:
- (a) Place the hive entrance to be directed away from adjacent residential properties.
 - (b) Not be within 25 metres from any public space or school property.
 - (c) Provide a water source within the backyard for the bees.
 - (d) Provide a standard of care to prevent disease and swarms.
 - (e) Notify all surrounding neighbours within a 25 metre radius of their property with a letter provided from the City of Yorkton.
 - (f) Notify all neighbours adjacent to their property with a letter provided from the City of Yorkton to notify them prior to honey extraction days.
 - (g) Take the Saskatchewan Beekeeping Development Commission Introductory Course and provide documentation to the Bylaw & Safety Supervisor that this was completed successfully.

(h) Register as a beekeeper, as per *The Apiaries Act and Regulations*, with the Saskatchewan Ministry of Agriculture.

(7) Beekeepers must make the hive available for inspection when requested.

Owning and Harboursing Exotic, ~~and~~ Wild and Certain Domesticated Animals

47. (1) No person may own or harbour any animal, or hybrid of any animal, of the kind listed in Schedule “K” for any purpose.

(2) No person may buy, sell, trade, or exhibit any animal or hybrid of any animal of the kind listed in Schedule “K”.

(3) Any person found responsible for allowing an animal or hybrid of any animal of the kind listed in Schedule “K” to be at large will be guilty of an offence and liable on summary conviction to the penalty contained in Schedule “L”.

48. (1) It shall be unlawful to keep any bird in the Columbidae family (such as pigeons, etc.), live poultry, ~~and/or~~ livestock, ~~and/or bees~~, within the boundaries of the City of Yorkton, except:

(a) On the premises of a recognized industry in the business of handling livestock;

(b) On the premises of the Yorkton ~~Agricultural and Industrial~~ Exhibition Association ~~Ltd.~~ in connection with shows, fairs, and/or exhibitions held with the permission of, or under the auspices of such association;

(c) Upon receiving written approval from the Council or the City Manager ~~for periods not to exceed 24 hours~~.

Exemptions to Owning and Harboursing Exotic, ~~and~~ Wild and Certain Domesticated Animals

49. (1) Section 47(1) shall not prohibit the harbouring of an animal or a hybrid of an animal of the kind listed in Schedule “K” in the following places or circumstances:

(a) On the premises of the Yorkton Society for the Prevention of Cruelty to Animals;

(b) In a veterinary hospital under the care of a licensed veterinarian;

(c) By anyone holding a license under any statute of the Legislature of Saskatchewan or the Government of Canada, which permits the keeping of animals under stated conditions.

(d) ~~Upon receiving written approval from City Council or the City Manager.~~

PART 6: PENALTIES AND OFFENCES

Offences, Penalties and Order to Comply

50. (1) Subject to subsection (2), any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine in an amount not less than (\$100.00) dollars and not exceeding:
- (a) \$10,000.00 dollars in the case of an individual;
 - (b) \$25,000 dollars in the case of a corporation;
- (2) Where an Animal Control Officer or the Peace Officer has reason to believe that a person has contravened any provision of this Bylaw, that Officer may issue a Notice of Violation or a Summary Offence Ticket to the person and/or an Order to Comply.
- (3) A Notice of Violation may indicate that the City will accept voluntary payment at Yorkton City Hall for the amount listed, or in the case of a Summary Offence Ticket, that the City will accept voluntary payment at the Provincial Court House.
- (4) Voluntary payment amounts for voluntary payment to avoid prosecution for the offences in this Bylaw are found in Schedule “L”.
- (5) Notwithstanding subsection (2), where an Animal Control Officer or Peace Officer has reason to believe that a person has contravened any provision of this Bylaw and the dog has been declared a Nuisance Dog, the voluntary payment shall be double the amount shown in Schedule “L”.
- (6) Where a Notice of Violation is issued for a contravention under Section 14, the prescribed amount may be reduced by \$100.00, upon completion of a “Declaration to Successfully Complete Obedience Class”, as shown in Schedule “F”. Failure to comply with the conditions of the Declaration will constitute an Offence.
- (7) A Judge, in addition to the penalties provided in this section, may if he or she considers the offence sufficiently serious, direct or order the owner of the dog to stop the animal from doing mischief or causing the disturbance or nuisance complained of, to have the animal removed from the City, or have the animal destroyed.
- (8) A Judge, after convicting the owner of a dog of an offence under Section 35(1) may, in addition to any other penalties imposed or orders made, and without further notice or hearing, declare the subject dog a dangerous dog.
- (9) An Animal Control Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 24 hours of service of the notice in accordance with Section 51.
- (10) The City may remove the feces from the property if:
- (a) The person to whom the request is made fails to remove the feces within 24 hours; or
 - (b) After reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.
- (11) If the City carries out the work under subsection (10), the costs and expenses incurred are a debt due to the City.

Service of Orders

51. (1) Except where otherwise provided in this Bylaw, any notice, Order or other document required by this Bylaw to be given or served may be served:
- (a) Personally;
 - (b) By registered mail to the last known address of the person being served;
 - (c) By hand delivering a copy of the notice, order or document to the last known address of the person being served; or
 - (d) By posting a copy of the notice, order or document at the land, building or structure or on a vehicle to which the notice, order or document relates.
- (2) A notice, order or document served in accordance with clause (1)(b) is deemed to have been served on the tenth day after the date of its mailing, unless the delivery date shown on the signed post office receipt card is a date earlier than the tenth day, then the notice, Order or document is deemed delivered on the delivery date.
- (3) A notice, Order or document served in accordance with clause (1)(c) or (d) is deemed to have been served on the day after the date of its delivery of posting.
- (4) If service cannot be effected in accordance with subsection (1):
- (a) The notice, order or other document may be served by publishing it in two issues of a newspaper circulating in the city; and
 - (b) For the purposes of clause (a), the second publication must appear at least three days before any action is taken with respect to the matter to which the notice, order or document relates.

Severability

52. If any section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, that portion will be deemed a separate, distinct and independent provision and the holding of the Court will not affect the validity of the remaining portions of the Bylaw.

Repeal of Former Bylaw

53. Bylaw No. 23/2011, 5/2012, and 23/2003 are hereby repealed.

Effective Date of Bylaw

54. (1) This Bylaw shall come into force and take effect on the day of final passing thereof, excepting Schedule “C”, which shall come into effect on January 1st, 2019.

1. An existing license issued under the Animal Control Bylaw No. 23/2011 remains valid until the term of such license expires.

MAYOR

CITY CLERK

Introduced and read a first time this 2nd day of April, A.D. 2018.

Read a second time this 2nd day of April, A.D. 2018.

Read a third time and adopted this 2nd day of April, A.D. 2018.

SCHEDULE “A”

CAT TRAP PERMIT

Date: _____

Trap No. _____

The undersigned agrees to the following terms and conditions:

- to place the cat trap on his or her property which is within the City of Yorkton;
- to personally check the cat trap every two (2) hours while the trap is set;
- in the event a cat is trapped, to immediately deliver the cat to Yorkton Society for the Prevention of Cruelty to Animals at 79 Seventh Avenue South (Phone No. 783-4080). In the event that the Society for the Prevention of Cruelty to Animals is closed, the cat may be held until the Society for the Prevention of Cruelty to Animals re-opens, but in no event for longer than twenty-four (24) hours. Where a cat is held, the undersigned is responsible for the humane treatment and shelter of the cat including feeding and watering. A captured cat should be left in the trap and placed in a shed, garage, basement or other place that is warm, dry and secure with a blanket placed over the trap to pacify the animal. Do not attempt to remove an unfamiliar cat from the trap – this will be done by the Poundkeeper. If the undersigned cannot comply with this condition, the trapped cat must be freed unharmed.
- to ensure that no harm comes to any trapped cat while in their possession including exposure to inclement weather;
- cat traps are not to be used when the temperature falls below 0 degrees Celsius or rises above 25 degrees Celsius;
- an Animal Control Officer may enter the property of the undersigned to ensure the trap is being used properly;
- to advise the Poundkeeper or Animal Control Officer of the ownership of any cat trapped, if known;
- to be responsible for the trap, including the cost of repair or replacement if damaged, lost or stolen. The trap is to be returned in a good and clean condition;
- traps must not be set on statutory holidays as the Animal Control Office is closed; the trap is to be returned to the Poundkeeper two days after issuance.

*** IT IS A CRIMINAL OFFENCE TO HARM ANY DOMESTIC ANIMAL**

Address of intended location of trap: _____

I understand and accept all liability which may arise in connection with the use of this cat trap while it is in my possession and will save and indemnify the City of Yorkton for all such liability.

Signature: _____

Name of Complainant: _____

Address of Complainant: _____

TRAP RETURNED

Date: _____

Received by: _____

Remarks: _____

**YORKTON SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS INC.**

79 – Seventh Avenue South
P.O. Box 87, Yorkton, Saskatchewan S3N 2V6
783-4080

Hours of Operation

Monday – Friday 12:00 p.m. – 4:30 p.m.
Thursday Evenings 6:00 – 8:00 p.m.
Saturday 12:00 p.m. – 4:30 p.m.

SCHEDULE “B”

CHARGES FOR THE RELEASE OF IMPOUNDED CATS

Impoundment Charges

| | |
|--|---------|
| Neutered/spayed cat – 1 st Offence | \$20.00 |
| Neutered/spayed cat – 2 nd and Subsequent Offence within a 12 month period | \$40.00 |
| Unneutered/unspayed cat – each offense | \$50.00 |

Housing Charges

| | |
|-------------------------|----------------|
| Per day or part thereof | \$8.00 minimum |
|-------------------------|----------------|

CHARGES FOR THE RELEASE OF IMPOUNDED DOGS

- a) First Offence:
\$50.00 plus minimum \$10.00 per day or part thereof, plus license fee if unlicensed.
- b) Second and Subsequent Offences Within One 12 Month Period:
\$100.00 plus minimum \$10.00 per day or part thereof.

SCHEDULE “C”

DOG LICENCE FEES

Effective January 1st, 2019

| DOG LICENSE | ANNUAL | 5 YEAR | PERMANENT |
|---|---------------|---------------|------------------|
| Puppy – all dogs between the age of 6 months and 1 year at the time the license is purchased; such dog license being valid for the current licensing period | \$10.00 | Not Available | Not Available |
| All dogs Spayed or Neutered | \$10.00 | \$30.00 | \$50.00 |
| All dogs not spayed or neutered | \$20.00 | \$60.00 | \$100.00 |
| All dogs declared Aggressive or Dangerous | \$300.00 | Not Available | Not Available |
| Service Dog | No Charge | No Charge | No Charge |
| Replacement Dog Tag | \$5.00 | \$5.00 | \$5.00 |

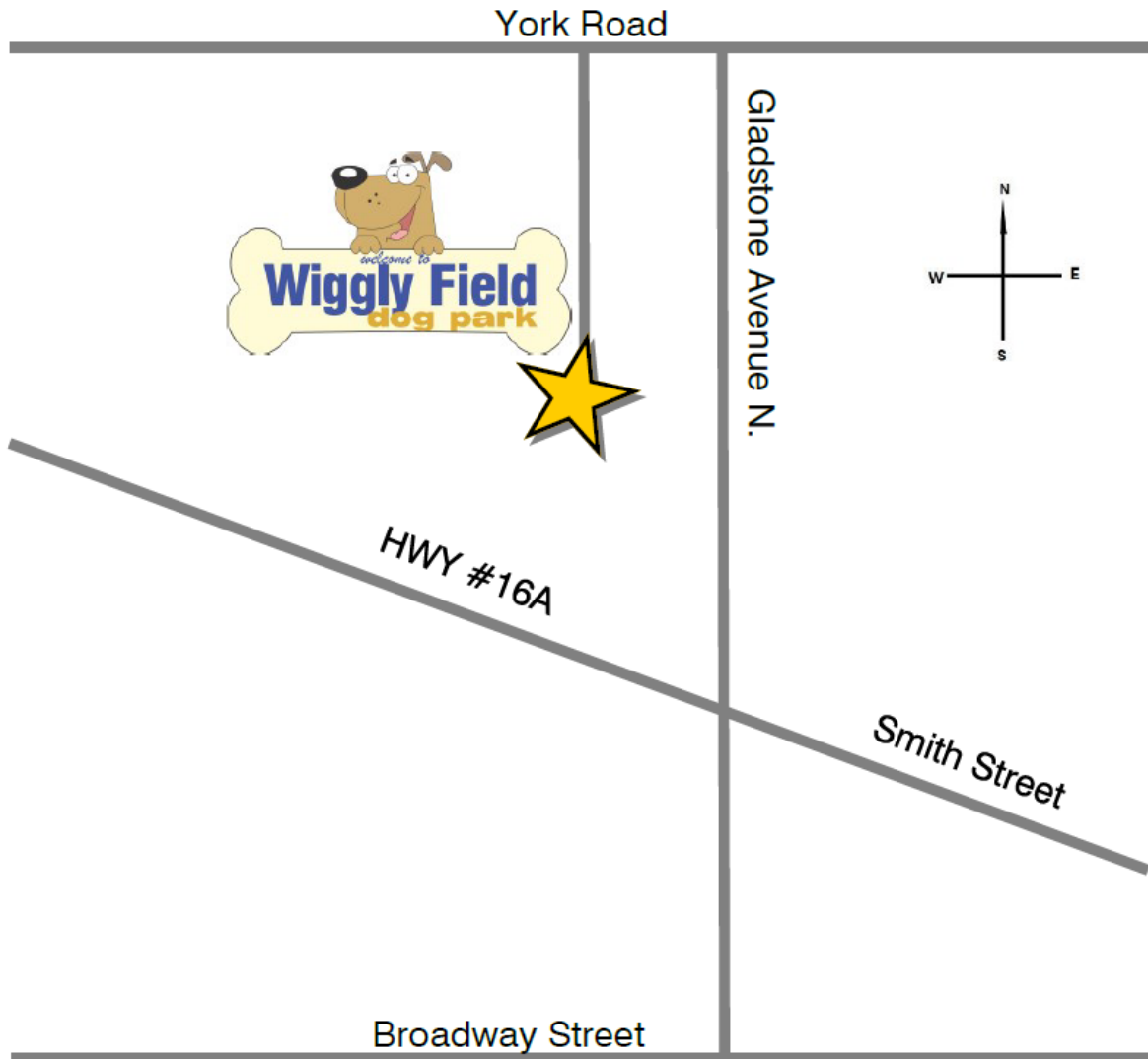
BEE LICENCE FEES

Annual Urban Beekeeping Licence - \$50.00

SCHEDULE “D”

OFF-LEASH DOG PARK LOCATION

- Wiggly Field Dog Park



SCHEDULE “E”

DECLARATION TO HAVE DOG VACCINATED

I, _____ of _____
Hereby declare that the dog, which is released to me by the SPCA on this date, will be vaccinated for rabies as required by the City of Yorkton Animal Control Bylaw within 30 days.

I acknowledge that failure to comply with this declaration may result in prosecution under Section ~~50~~ 21(2)(f) of the Animal Control Bylaw.

Dog Owner

Description of Dog

Address

Date

Witness

SCHEDULE “F”

DECLARATION TO SUCCESSFULLY COMPLETE OBEDIENCE CLASS

I, _____ of _____
Hereby declare that I will enroll my dog, listed below, in an Obedience Class from a reputable/certified trainer and provide the Animal Control Officer the start and end date the Obedience Class within 30 days.

I will provide the Animal Control Officer a copy of the Certificate of Successful Completion of the Obedience Class within 30 days of the completion of the Class.

I acknowledge that failure to comply with this declaration may result in prosecution under Section 50 of the Animal Control Bylaw.

Dog Name

Dog Breed

Description of Dog

Dog License Number

Dog Owner Name (Printed)

Address

Address

Owner Signature

Date

Witness

SCHEDULE “G”

PROHIBITED AREAS FOR DOGS

- All Public Playgrounds
- Deer Park Municipal Golf Course
- All Sports Fields

BEWARE



Aggressive Dog
on
Premises

BEWARE



Dangerous Dog
on
Premises

SCHEDULE “J”

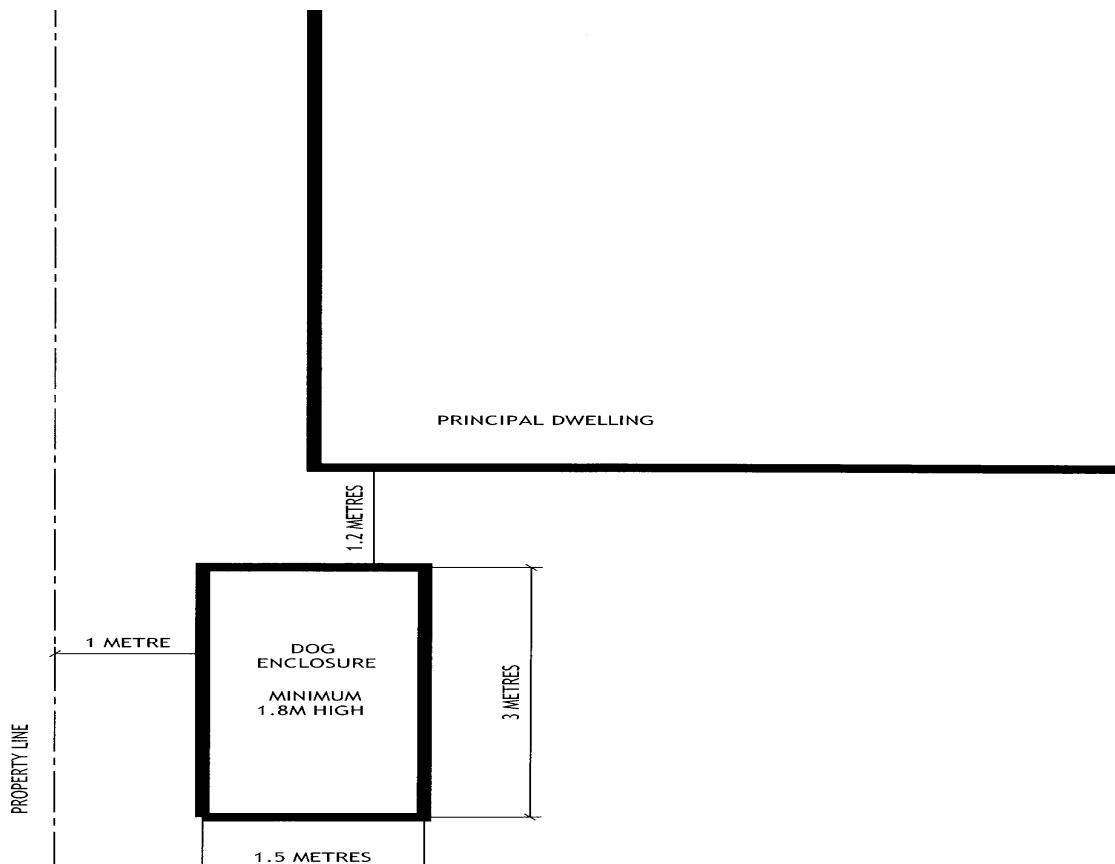
ENCLOSURES FOR AGGRESSIVE/DANGEROUS DOGS

DIMENSIONS (minimum dimensions)

- 3 meters in length
- 1.5 meters in width
- 1.8 meters in height

LOCATION OF ENCLOSURE

- located in rear yard only
- no closer than 1 meter to the property line
- no closer than 1.2 meters from any other building on your property
- no closer than 5 meters from a dwelling unit located on an adjacent property



ADDITIONAL REQUIREMENTS

- must be constructed of wood or any other building material of sufficient strength and in a manner adequate to prevent the animal from jumping, climbing or digging out of the enclosure
- the roof and floor must be secured to the sides of the enclosure
- the sides of the enclosure must be embedded in the ground to a depth of at least 0.6 meters
- the entrances to the enclosure must be locked or fastened in a manner adequate of prevent the animal from escaping, and prevent the entry of unauthorized persons
- must provide adequate light, ventilation and protection from the elements for the animal must be kept in a sanitary and clean condition

SCHEDULE “K”

BEING A LIST OF ANIMALS THE KEEPING OF WHICH IS PROHIBITED WITHIN THE CITY OF YORKTON LIST OF PROHIBITED ANIMALS

- All Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammostola)
- All Artiodactylus Ungulates, ~~except (such as~~ domestic goats, sheep, cattle, and pigs)
- All Bats
- All Canids, except the domestic dog
- All Crocodilians (such as alligators, crocodiles, and caimans)
- All Edentates (such as anteaters, sloths, and armadillos)
- All Elephants
- All Felids, except the domestic cat
- All Hyaenas
- All Marsupials (such as kangaroos and opossums)
- All Mustelids (such as skunks, weasles, otters, and badgers) except the domestic ferret
- All non-human Primates (such as gorillas and monkeys)
- All Perissodactylus Ungulates, ~~except~~ ~~except~~ the domestic horse, mule, and ass
- All Pinnipeds (such as seals, fur seals, and walruses)
- All Procyonids (such as raccoons, coatis, and cacomistles)
- All Raptors, diurnal and nocturnal (such as eagles, hawks, and owls)
- All Ratite Birds (such as ostriches, rheas, and cassowaries)
- All snakes of the families Pythonidae and Boidae
- All Ursids (bears)
- All venomous Reptiles and Amphibians
- All Viverrids (such as mongooses, civets, and genets).

Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.

SCHEDULE “L”

AMOUNTS WHICH WILL BE ACCEPTED BY CITY IN LIEU OF PROSECUTION

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|-----------------------------|--|----------------------|
| Section 3 (1) | Allowing cat to become a nuisance | \$100.00 |
| Section 3.1 | Exceeding maximum number of cats | \$200.00 |
| Section 7 (1) | Failure to clean, alter, demolish or Relocate cat run | \$200.00 |
| Section 8 | Failure to remove defecation upon request | \$100.00 |
| Section 9 (4) | Unlicensed dog | \$100.00 |
| Section 10(4) | Exceeding maximum number of dogs | \$100.00 |
| Section 10(10) | False information | \$100.00 |
| Section 10.1(1) | Exceeding maximum number of dogs | \$100.00 |
| Section 10.1(2) | Canadian Kennel Club member exceeding maximum number of dogs | \$100.00 |
| Section 11(2) | Dog was not wearing dog tag off the owner’s property | \$100.00 |
| Section 12 | Dog at large | \$100.00 |
| Section 13 | Upset waste receptacle | \$100.00 |
| Section 14(1) (a) | Biting a person(s) | \$200.00 |
| (b) | Injure a person(s) | \$200.00 |
| (c) | Chase or otherwise threaten a person(s) | \$150.00 |
| (d) | Cause damage to property or other animals | \$200.00 |
| (e) | Cause death to a person or other animal | \$400.00 |
| Section 15(1) | Permitting a dog to become a nuisance | \$100.00 |
| (2) | Disobeying Judges order | \$200.00 |
| Section 16(1) | Defecation – property other than owner | \$100.00 |
| (2) | Defecation – owner’s property not cleaned daily | \$100.00 |
| (3) | Allowing animal feces to accumulate on property | \$150.00 |
| Section 17 | Dog unattended in motor vehicle | \$100.00 |

*Subsequent Offence committed within twelve (12) months of the first offence –
DOUBLE THE ABOVE SCHEDULE*

SCHEDULE “L” *Continued*

**AMOUNTS WHICH WILL BE ACCEPTED BY CITY
IN LIEU OF PROSECUTION**

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|-----------------------------|---|----------------------|
| Section 19(3) | Interference with enforcement | \$500.00 |
| Section 21(2) | Fail to license or vaccinate dog pursuant to Section 21(2) | \$100.00 |
| Section 24(4) | Failure to clean, alter, demolish or relocate dog run | \$200.00 |
| Section 27(1) | Permitting a dog in prohibited areas | \$100.00 |
| Section 28(a) | Untie or free an animal | \$100.00 |
| (b) | Willfully open gate or door | \$100.00 |
| (c) | Tease; throw things at dog | \$100.00 |
| Section 29 | Failed to keep female dog in heat housed | \$100.00 |
| Section 31 | Failure to allow dog to be isolated | \$100.00 |
| Section 32(2)(a) | Failure to prevent aggressive dog biting, injuring, chasing or attacking a person or animal whether on the property of the owner or not | \$400.00 |
| (2)(a) | Failure to prevent aggressive dog causing death to a person or domestic animal, whether on the property of the owner or not | \$500.00 |
| (b)(i) | Aggressive dog not fenced and chained or signed | \$300.00 |
| (ii) | Aggressive dog in dwelling not under control by person over 16 years of age | \$400.00 |
| (c)(i) | Aggressive dog not muzzled | \$400.00 |
| (ii) | Aggressive dog not harnessed or leashed | \$400.00 |
| (4) | Failure to notify change of address | \$300.00 |
| (5) | Failure to report sale, move or giving away of aggressive dog | \$300.00 |
| (6) | Failure to erect enclosure within 30 days | \$300.00 |

*Subsequent Offence committed within twelve (12) months of the first offence –
DOUBLE THE ABOVE SCHEDULE*

SCHEDULE “L” *Continued*

**AMOUNTS WHICH WILL BE ACCEPTED BY CITY
IN LIEU OF PROSECUTION**

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|-----------------------------|---|----------------------|
| Section 36(1) | Own a dog for dog fighting | \$500.00 |
| (2) | Failure to post dangerous dog signs | \$400.00 |
| (3) | Failure to comply with Order | \$500.00 |
| (4) | Failure to prevent dangerous dog from attacking, biting, chasing, or injuring another person or domestic animal | \$500.00 |
| (4) | Failure to prevent dangerous dog from killing a person or domestic animal | \$600.00 |
| Section 46.1 (1) | Keeping honeybees without licence | \$200.00 |
| Section 46.1 (2) | Exceeding number of hives or supers | \$100.00 |
| Section 47(1) | Owning and harbouring Exotic and/or Wild Animals | \$400.00 |
| (2) | Buying, selling, trading or exhibiting Exotic and/or Wild Animals | \$500.00 |
| (3) | Exotic and Wild Animals at large | \$200.00 |
| Section 48 | Owning a Columbidae family bird, poultry, or Livestock, or bees | \$200.00 |
| Section 50 (6) | Failure to comply with the conditions of the Declaration to Successfully Complete Obedience Class | \$150.00 |

*Subsequent Offence committed within twelve (12) months of the first offence –
DOUBLE THE ABOVE SCHEDULE*

| | |
|--|---|
| TITLE: 2022-2025 Roadways Improvement Plan | DATE OF MEETING: May 9, 2022 |
| | REPORT DATE: May 2, 2022 |
| CLEARANCES: Ashley Stradeski – Director of Finance Ashley Stradeski | ATTACHMENTS: 1. Current Resurfacing Priorities 2. Resurfacing Locations – Undergrounds Required |
| Written by: Trent Mandzuk – Director of Public Works Trent Mandzuk | |
| Reviewed by: Jessica Matsalla, City Clerk Jessica Matsalla | |
| Approved by: Lonnie Kaal, City Manager Lonnie Kall | |

BACKGROUND

Gladstone Avenue South and Smith Street are two of the City’s poorest condition arterial roadways. For 2022, \$300,000 from the capital budget was allocated for the engineering design of each street’s future rehabilitation. At the time of the last roadway assessment conducted in 2018, both streets had a “fair” condition rating with a corresponding pavement condition index (PCI) between 65 -79. Over the past 5 years, pavement condition in both locations continued to decline and their PCI has now fallen into the “poor” category.

The following chart illustrates condition of the City’s Roadway network in 2018:

PCI/Condition Statement (2018)

| Road Class | Very Good | Good | Fair | Poor | Very Poor |
|-----------------|-----------|---------|------------|------------|-----------|
| | 90 - 100 | 80 - 89 | 65 - 79 | 55 - 64 | < 55 |
| Highway | 16% | 46% | 33% | 5% | 0% |
| Arterial | 8% | 39% | 49% | 4% | 0% |
| Major Collector | 17% | 20% | 37% | 15% | 8% |
| Minor Collector | 18% | 23% | 51% | 7% | 2% |
| Residential | 12% | 12% | 62% | 11% | 3% |
| Total % of Area | 14% | 23% | 52% | 9% | 3% |

Applying the same rate of failure to the entire roadway network places 53% of arterials, 55% collectors and 76% of residential streets (60% of the total network) in poor condition. A roadway described as “poor” requires a complete rehabilitation. When 2021’s average unit pricing for asphalt is applied to the 60% of roads currently in poor condition the rehabilitation cost for that group is \$25M. See calculation below.

Estimated rehabilitation cost = $(\$24.55/m^2) * (1,719,971m^2) * 0.60 = \$25,334,377$.

This cost is for pavement surface only and does not include provisions for related assets such as curbs, sidewalks and medians. Rehabilitation programs typically require a 20% allowance for design and quality assurance costs over the term of the project. This raises the total estimated cost to \$32.5M.

Past levels of underfunding make it difficult to address the backlog of rehabilitation work in a quick manner. Once roads deteriorate below “fair” the rate of deterioration and reinvestment costs both increase substantially. If we were to attempt to address the current backlog over the next 25 years, the City needs to put a minimum of \$1.3M into the operating budget for roadways every year. This will require annual operational budget for future overlay programs to be doubled, as current funding is \$560,000/year.

DISCUSSION/ANALYSIS/IMPACT

To help attain this funding model we need to better differentiate capital budget funded roadway projects from operational budget funded projects. It would be beneficial to clearly define capital roadway projects as those requiring a complete reconstruction. PCI only rates surface conditions of pavement. Distresses in surface condition, however, may be indicative of underlying structural issues. Roads identified for reconstruction require structural repairs below the asphalt surface. In comparison, operational budget roadway projects are less invasive and less expensive and more commonly referred to “shave and pave” or “mill and fill” asphalt overlays.

York Road’s reconstruction (pavement, roadway structure and underground utility replacements) is scheduled to begin in 2023 and will be funded with \$2.5M/year from the capital budget until 2027. Following the completion of York Road, a daunting list of locations requiring reconstruction remain and will take decades to repair. For example, the majority of streets within the Weinmaster subdivision have been identified as reconstruction projects with a collective estimated repair cost in excess of \$30M.

Many sections of Gladstone Avenue and Smith Street require immediate attention. For 2022 the majority of Gladstone Avenue South from the roundabout to Broadway Street will receive a surface patch (\$200,000) to improve ride-ability over the short term. The eastern portion of Smith from First Avenue to Sixth Avenue will receive a full width mill/fill asphalt overlay with curb and sidewalk improvements (\$600,000). These two projects are expected to cost

\$800,000 and will be funded through a combination of roadway and concrete funds from the operating budget.

Gladstone Avenue South will remain a priority candidate for a reconstruction because it is an arterial roadway with a number of issues such as failing road structure and collapsed drainage piping at many locations along its length. In 2022 a traffic study will be conducted for the entire Gladstone corridor (round-a-bout to York Rd) to evaluate traffic flow requirements. If possible the number of traffic lanes may be decreased and the center median widened in attempt to lower costs of the future reconstruction. As part of the design process, geotechnical samples will be collected in preparation for a new roadway design and storm system modelling to determine appropriate pipe sizing necessary to prevent flooding in this region of the City. Following completion of the design, the reconstruction of Gladstone South will be proposed as a 2024 capital project.

5 Year Roadway Program:

| Year | Project |
|-------------|---|
| 2022 | Gladstone South - Preliminary Design |
| 2022 | Smith Street Improvements Phase 1 – Asphalt Overlay (1 st Ave – 6 th Ave) |
| 2022 | York Road Reconstruction – Detailed Design |
| 2023 | Gladstone South – Detailed Design |
| 2023 | Smith Street Improvements Phase 2 – Asphalt Overlay (Myrtle Avenue – 1 st Avenue) |
| 2023 | York Road Reconstruction – Phase 1 |
| 2024 | Gladstone South Reconstruction – Phase 1 |
| 2024 | 2024 Asphalt Overlay Program |
| 2024 | York Road Reconstruction - Phase 2 |
| 2025 | 2025 Asphalt Overlay Program |
| 2025 | York Road Reconstruction – Phase 3 |

In addition to the streets proposed above there are a number of locations throughout the City that are top candidates for overlays but have lead water service connections. Public Works will endeavor to initiate an aggressive lead replacement program over the next few years in attempt to eliminate lead services from the distribution system. See attachments for these locations and other streets requiring reconstructions.

FINANCIAL IMPLICATIONS

The 2022 Asphalt Paving Program will be funded by \$800,000 from the 2022 operational budget (surface streets and sidewalks contracted services account).

COMMUNICATION PLAN/PUBLIC NOTICE

Advertisements will be put on City website and radio two weeks prior to the 2022 Asphalt Paving program start up. The Contractor is required to advise Citizens and local business via letter notification of dates for street closures prior to paving. Completion date deadline for the contract is September 30, 2022.

Longer term, communication plans should endeavor to increase Yorkton Citizens and Road User's awareness of the forthcoming "Roadway Problem" to proactively inform residents on realistic service levels expectations in years to come.

STRATEGIC PRIORITIES/OCF/COMMITTEE RECOMMENDATION(S)

Develop a long term infrastructure plan that includes Water, Sewer, Roads, Sidewalks, Walking-trails, Bike-paths, Facilities, Transit and future development.

OPTIONS & RECOMMENDATION

1. Council receive and file the 2022-2025 Roadways Improvement Plan.
2. Other direction provided by Council.

RECOMMENDATION

That Council receive and file the 2022-2025 Roadways Improvement Plan report which includes the following arterial roadways:

| | |
|------|---|
| 2022 | Gladstone South - Preliminary Design |
| 2022 | Smith Street Improvements Phase 1 – Asphalt Overlay (1 st Ave – 6 th Ave) |
| 2022 | York Road Reconstruction – Detailed Design |
| 2023 | Gladstone South – Detailed Design |
| 2023 | Smith Street Improvements Phase 2 – Asphalt Overlay (Myrtle Avenue – 1 st Avenue) |
| 2023 | York Road Reconstruction – Phase 1 |
| 2024 | Gladstone South Reconstruction – Phase 1 |
| 2024 | 2024 Asphalt Overlay Program |
| 2024 | York Road Reconstruction - Phase 2 |
| 2025 | 2025 Asphalt Overlay Program |
| 2025 | York Road Reconstruction – Phase 3 |

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SCALE CHECK

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Association of Professional Engineers
& Geoscientists of Saskatchewan
CERTIFICATE OF AUTHORIZATION
Allied Infrastructure
Number 70652
Permission to Consult held by:
Discipline Sk. Reg. No. Signature



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CITY OF YORKTON
RESURFACING LOCATIONS
2022-005
CIVIL
CURRENT PRIORITIES

SHEET
F2

| PRIORITY NUMBER | PCI | STREET NAME | FROM | TO | AREA (m2) | THICKNESS (mm) | ESTIMATED RESURFACING COST | ESTIMATED CUMMULATIVE COST |
|-----------------|-----|-----------------------|------------------------|----------------------|-----------|----------------|----------------------------|----------------------------|
| 1 | 60 | Independent Street | Haultain Avenue | Laurier Avenue | 1364 | 65 | \$ 54,164.37 | \$ 54,164.37 |
| 2 | 61 | Dogwood Crescent | Northview Road | Dalebrooke Drive | 3264 | 50 | \$ 99,225.60 | \$ 153,389.97 |
| 3 | 62 | Reaman Avenue | North Street | Broadway Street West | 4029 | 50 | \$ 122,487.98 | \$ 275,877.95 |
| 4 | 62 | Henderson Street East | Third Avenue North | Fourth Avenue North | 964 | 50 | \$ 29,298.49 | \$ 305,176.45 |
| 5 | 63 | Beck Avenue | Foster Street | CP Tracks | 1525 | 75 | \$ 70,150.00 | \$ 375,326.45 |
| 6 | 63 | Simpson Street | Gladstone Avenue South | Melrose Avenue | 1439 | 50 | \$ 43,737.72 | \$ 419,064.17 |
| 7 | 63 | Betts Avenue | Dunlop Street West | Catherine Street | 1152 | 50 | \$ 35,019.81 | \$ 454,083.97 |
| 8 | 63 | North Street | Wallace Avenue | Irwin Avenue | 1160 | 50 | \$ 35,277.89 | \$ 489,361.86 |
| 9 | 63 | Green Street | Lincoln Avenue | Wallace Avenue | 1191 | 50 | \$ 36,191.89 | \$ 525,553.76 |
| 10 | 63 | Simpson Street | Melrose Avenue | Haultain Avenue | 1360 | 50 | \$ 41,353.04 | \$ 566,906.80 |
| 11 | 63 | Irwin Avenue | North Street | Broadway Street West | 3719 | 50 | \$ 113,057.60 | \$ 679,964.40 |
| 12 | 63 | Sunset Gate | Sunset Drive South | Queen Street West | 876 | 50 | \$ 26,625.74 | \$ 706,590.14 |
| 13 | 63 | Ontario Avenue | Booth Street | Magrath Street | 1025 | 50 | \$ 31,157.25 | \$ 737,747.39 |
| 14 | 64 | Duncan Street East | First Avenue North | Second Avenue North | 720 | 50 | \$ 21,879.83 | \$ 759,627.22 |
| 15 | 64 | Bailey Drive | Green Street | Barbour Avenue | 3548 | 50 | \$ 107,844.70 | \$ 867,471.92 |
| 16 | 64 | Henderson Street West | Myrtle Avenue | Betts Avenue | 967 | 50 | \$ 29,408.23 | \$ 896,880.15 |
| 17 | 64 | Collacott Street West | Myrtle Avenue | Betts Avenue | 967 | 50 | \$ 29,401.76 | \$ 926,281.91 |

Notes: 1. GST and PST are not included in the above noted cost estimates.

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| Association of Professional Engineers & Geoscientists of Saskatchewan CERTIFICATE OF AUTHORIZATION Allied Infrastructure Number 70652 | | |
| Permission to Consult held by: | | |
| Discipline | Sk. Reg. No. | Signature |
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CITY OF YORKTON
RESURFACING LOCATIONS TO SKIP
2022-005
ROADWAY RECONSTRUCTION &
UNDERGROUND RESTORATION

SHEET
F3

| PRIORITY NUMBER | PCI | STREET NAME | FROM | TO | AREA (m2) | REASON TO SKIP |
|-----------------|-----|-----------------------|------------------------|----------------------|-----------|------------------------------|
| 1 | 55 | Laurier Avenue | Broadway Street West | Simpson Street | 2049 | Lead Services |
| 2 | 55 | Agricultural Avenue | Broadway Street West | Borden Street | 3485 | Lead Services |
| 3 | 55 | Dunlop Street West | Betts Avenue | First Avenue North | 952 | Lead Services |
| 4 | 58 | Fifth Avenue North | Darlington Street East | Duncan Street East | 3900 | Lead Services |
| 5 | 58 | Industrial Avenue | York Road West | Ball Road | 2987 | Gravel, Capital |
| 6 | 58 | Russell Drive | Erichsen Place | Franko Drive | 1899 | Future Reconstruction |
| 7 | 59 | Laurier Avenue | Simpson Street | Independent Street | 2170 | Lead Services |
| 8 | 59 | Second Avenue North | Duncan Street East | Smith Street East | 2496 | Lead Services |
| 9 | 59 | Morrison Drive | Caldwell Drive | Spice Drive | 3447 | Future Reconstruction |
| 10 | 60 | Fourth Avenue North | York Road East | Hill Street | 2215 | Capital |
| 11 | 60 | Blackwell Crescent | Morrison Drive | Morrison Drive | 3132 | Future Reconstruction |
| 12 | 61 | Caldwell Drive | Morrison Drive | Garry Place | 995 | Future Reconstruction |
| 13 | 61 | Dunlop Street West | Myrtle Avenue | Betts Avenue | 967 | Future Reconstruction |
| 14 | 62 | Second Avenue North | Darlington Street East | Duncan Street East | 2373 | Lead Services |
| 15 | 62 | Northview Road | Dalebrooke Drive | Dogwood Crescent | 1207 | Drainage |
| 16 | 63 | York Road East | Fourth Avenue North | Fifth Avenue North | 1934 | Future Reconstruction |
| 17 | 63 | Morrison Drive | Anderson Drive | Blackwell Crescent | 2243 | Service Leaks |
| 18 | 63 | Borden Street | Agricultural Avenue | Assiniboia Avenue | 882 | Future Watermain Replacement |
| 19 | 63 | Maple Avenue | Magrath Street | Broadway Street West | 1184 | Drainage |
| 20 | 64 | York Road East | Third Avenue North | Fourth Avenue North | 1933 | Future Reconstruction |
| 21 | 64 | Haultain Avenue | Broadway Street West | Simpson Street | 2049 | Lead Services |
| 22 | 64 | Caldwell Drive | Laird Bay | Garry Place | 3637 | Future Reconstruction |
| 23 | 64 | MacFarlane Avenue | North Street | Broadway Street West | 3486 | Drainage |
| 24 | 64 | Henderson Street East | Second Avenue North | Third Avenue North | 964 | Drainage |

Notes: 1. Roadway reconstruction and underground restoration costs will be determined by site specific conditions.

| | |
|--|-------------------------------------|
| TITLE: Purchase of One (1) New Street Sweeper – Tender Award | DATE OF MEETING: May 9, 2022 |
| CLEARANCES: | REPORT DATE: April 28, 2022 |
| ATTACHMENTS: | |
| Written by: René Richard, Director of Engineering and Asset Management <div style="text-align: right;">René Richard</div> | |
| Reviewed by: Jessica Matsalla, City Clerk <div style="text-align: right;">Jessica Matsalla</div> | |
| Approved by: Lonnie Kaal, City Manager <div style="text-align: right;">Lonnie Kaal</div> | |

BACKGROUND

The purchase of a new street sweeper was included in the 2021 approved capital budget. Due to availability issues, the tender was postponed until 2022. The new unit will replace an older, existing street sweeper.

DISCUSSION/ANALYSIS/IMPACT

On April 8, 2022, the Invitation to Tender for the “Purchase of One (1) New Mechanical Street Sweeper Mounted on a Freightliner Conventional Chassis” was advertised on the City of Yorkton, Tenders site as well as SaskTenders and Biddingo for a tender period of two (2) weeks and a closing date of April 22, 2022. For this particular type of equipment, there were realistically only two bidders that would be expected due to its specialized nature. Two vendors took the tender documents from the Biddingo site, however only one (1) bid was received.

The bid from Fer-Marc Equipment Ltd. was deemed to be the best value as it was the only bid, was within budgetary estimates and met all specifications.

FINANCIAL IMPLICATIONS

Funding for this project will come from the Fleet Reserve as approved during budget deliberations.

COMMUNICATION PLAN/PUBLIC NOTICE

The identity of the successful bidder along with the total bid amount will be posted on the City's website, SaskTenders, and Biddingo for a period of two (2) weeks.

STRATEGIC PRIORITIES/OCP/COMMITTEE RECOMMENDATION(S)

N/A

OPTIONS

1. That Council direct Administration to award the tender for "the Purchase of One (1) New Mechanical Street Sweeper Mounted on a Freightliner Conventional Chassis" to Fer-Marc Equipment Ltd. for \$425,714.25 plus applicable taxes, and further that the Mayor and City Clerk be authorized to execute said contract.
2. That Council provide other direction.

RECOMMENDATION

1. **That Council direct Administration to award the tender for the "Purchase of One (1) New Mechanical Street Sweeper Mounted on a Freightliner Conventional Chassis" to Fer-Marc Equipment Ltd. for \$425,714.25 plus applicable taxes, and further that the Mayor and City Clerk be authorized to execute said contract.**

| | |
|--|--|
| TITLE: Preliminary 2021 Year-End Report | DATE OF MEETING: May 9, 2022 |
| | REPORT DATE: May 4, 2022 |
| CLEARANCES: | ATTACHMENTS: 1. December 2021 Exceptions to Budget |
| Written by: Ashley Stradeski - Director of Finance | Ashley Stradeski |
| Reviewed by: Jessica Matsalla - City Clerk | Jessica Matsalla |
| Approved by: Lonnie Kaal - City Manager | Lonnie Kaal |

BACKGROUND

Audit work on the 2021 year end is still progressing. We are hoping to have our audited Financial Statements for Council's review within the next few Council meetings. With that, however, we have come to our preliminary estimate of our 2021 year-end departmental surplus / deficits.

DISCUSSION

The City of Yorkton had a surplus in 2021 of \$1,337,297, as seen below:

| Revenue: | Surplus (Deficit) to Budget | |
|--|------------------------------------|--------------------|
| Taxes | \$ 61,900 | |
| Crown Surcharges less Incentives | (3,966) | |
| Interest Income and Tax Penalties | (42,864) | |
| Municipal Operating Grant | 25,183 | \$ 40,253 |
| Net Departmental Operating Budgets: | | |
| Council / Corporate Services / Bylaw | \$ 28,626 | |
| Fire/RCMP | 59,233 | |
| Community Development, Parks & Recreation | (37,662) | |
| Water Park & Gallagher Centre | (107,779) | |
| Engineering & Asset Management | 148,937 | |
| Planning, Building & Development | 110,607 | |
| Public Works | 70,581 | |
| Environmental Services (Water & Landfill) | <u>0</u> | \$ 272,543 |
| Capital & Debt | | \$1,021,401 |

| | |
|---|----------------------|
| Net Surplus (Deficit) to Budget | \$1,334,197 |
| Budgeted Surplus | <u>\$ 3,100</u> |
| 2021 Surplus Realized | \$1,337,297 |
| Less: Bonus Gas Tax Funding / Capital variances | <u>(\$1,021,401)</u> |
| Operating Surplus: | \$ 315,896 |
| | ===== |

The City's operating surplus is **\$315,896**. The reason for the capital surplus was due to the Gas Tax grant doubling in 2021, adding nearly a million dollars to our capital surplus. This amount was applied to our approved Gas Tax funded projects and is not available as part of the operating surplus.

Highlighted Budget Variance Explanations

1. Tax & Grant Revenue - \$40,254 surplus

- There was tax growth in excess of budget with the completion of new commercial development, and appeal losses were less than budget, resulting in a surplus of \$62,000.
- Interest and penalties had a shortfall to budget of \$43,000; the tax deadline was moved back three months as additional pandemic support, which delayed interest. Further, interest rates on cash continued to be at record low levels.
- Revenue sharing from the Municipal Operating Grant was slightly higher than anticipated by \$25,000

2. Council, Corporate Services and Bylaw - \$28,626 surplus

- Legislative and Council expenses were under budget by nearly \$103,000. This is due to \$86,000 less in grants given in the form of youth sports rebates. This number is formulaic in design; as several facilities were closed due to COVID-19, there was less usage for ice time and other facility rentals and as there was less usage there was less revenues and thus rebates followed. Further, Council training budgets were under as there was generally no in person conferences or training in 2021.
- Corporate Services was net on budget, however there were some areas over and under budget. Salaries were slightly higher by about \$50,000 due to a position which was budgeted to be vacant the full year, but was only vacant for less than half the year. There are additional costs in Finance related to consultant expense for approximately \$10,000 as well. These overages were made up by savings due to a lack of training & travel expense (as mentioned above for the same reasons), as well as some additional revenue in appeal fees and tax enforcement fees.
- Bylaw services had a deficit to budget of \$74,187; this was a culmination of many things related to COVID-19, from reduced parking fees and fines to lower levels of

enforcement of traffic items during the pandemic. The actual revenues were down nearly \$100,000, in large part due to the Provincial Courts not processing traffic violation tickets. Costs were reduced in salary, equipment and training to offset this.

3. Protective Services - \$59,233 surplus - Recommend add \$30,000 to fire reserves

- Savings in fire on salaries and overtime of approximately \$60,000. Some equipment costs were over budget, but this was offset by decreased training costs.
- RCMP revenues were under budget by \$25,000, due to decreased ticket revenues. Additional costs for equipment, furniture and other costs were over budget by \$50,000, for a net \$75,000 total over budget. The contract fee, however, was under budget to offset this to a surplus of \$38,000, which we have placed into the RCMP reserve to help offset increased costs in 2022.

4. Community Development, Parks & Recreation - \$37,662 deficit - Recommend deposit \$45,000 to Deer Park reserve, deposit \$27,000 to Recreation Facility reserve, withdraw \$100,000 from COVID Safe Restart to Transit

- Cemetery, Library and Administration & Programs were close to budget, each with a small deficit to budget, despite some revenue decreases which were offset by lower program spending. Library originally had \$10,000 budgeted to come out of the COVID Safe Restart funding, however as the departments on the whole are not significantly over budget (aside from discussions below), we are not recommending utilizing this.
- Parks did incur significant additional costs, nearly \$90,000, due to the snowstorm that knocked down many trees around the City. This was offset by decreased spending in other areas in an attempt to compensate, resulting in a net overage of approximately \$19,000.
- Deer Park had a \$94,000 surplus to budget; this was entirely due to green fees being higher than budgeted, with Deer Park once again surprising us with its resiliency to the pandemic.
- Recreation Facilities had a surplus to budget of \$54,000; our recreation facilities such as the Kinsmen Arena do have a net cost to the City despite drawing in some revenue. As such, wage, utility and contractor savings due to COVID-19 closures amounted to more than the revenue losses after costs were cut as much as possible while closed. Total revenues were down nearly \$75,000 across all facilities (excluding Gallagher Centre), which was more than offset by decreased costs.
- Transit was another area that has been very hard hit by the pandemic, with a deficit of \$143,000. This was due to several factors, one of which was decreased ridership during the pandemic. Further, the Access Transit buses required significant repairs consistently throughout the year – a new one had been ordered in 2020, however it took nearly 18 months to arrive and was not in service until late in the year. Fuel costs were unfortunately to be added on top of this, with rising costs also impacting.

This is where we recommend using the COVID Safe Restart funding to offset this temporary decrease in revenue. This was NOT budgeted to use here, but overall we are using less of these funds than budget elsewhere, so it makes sense to adjust to here.

5. Water Park & Gallagher Centre - (\$107,779) deficit

- Virtually all operations at the Gallagher Centre were affected by closures due to COVID-19 in 2021, as they were in 2020.
- Revenues in the water park were down substantially from pre-COVID times, however this was budgeted for. In fact, the revenues were higher than anticipated (while still down historically), and exceeded budget. Staffing costs were higher as they had to staff for higher usage than expected, but overall the water park was in a surplus position of \$40,000.
- At the Gallagher Centre aside from the Water Park, revenues were short to budget by over \$220,000 due to closures and reduced capacity. Cost savings were sought across the board in staffing, utilities, and other areas, with costs being cut to match the adjusted service levels which saved approximately \$75,000.
- Note that, while there is a net deficit of over \$100,000, there was grant funding in Legislative / Council that was under budget by \$100,000 due to lower revenues at recreation facilities causing lower youth grants; as such, these amounts are being used to offset.

6. Engineering & Asset Management – \$148,937 surplus - Recommend deposit \$75,000 to reserves (\$25,000 to each Engineering, Facilities, and Traffic & Street Lighting)

- Engineering had some savings due to a partial vacancy in a position. All positions are now filled.
- Traffic & Street Lighting under budget due to 10% power rebate all SaskPower customers received (2021 only).
- Fleet services (not shown as net zero) had higher costs than anticipated due to rising fuel costs towards the end of the year, however equipment usage was higher and the associated charges were higher more than offsetting this, in no small part due to snow removal equipment charges.
- Facilities has a surplus to budget of \$50,845; this was savings in numerous areas, with janitorial, insurance, and utilities coming in under budget.

7. Planning, Building & Development - \$110,607 surplus – Recommend deposit \$55,000 to reserves (\$35,000 to Planning reserves and \$20,000 to Airport reserves)

- Planning & Building Services had a surplus of \$71,000; much of this was due to a partial vacancy in a position, which has since been filled. Further, there was reduced

training and travel expenses, and lower spending on consulting. Finally, building permit revenue was higher than anticipated, which added more to the surplus.

- Economic Development was generally on budget, however underspent on its promotions during the year as projects wrapped up and there was turnover in positions. As we have done in the past, unspent promotions budget was put to reserves, as this tends to get used on larger economic development projects (such as the City of Yorkton signs, rock walls and lighting at the main highway entrance to the City.
- Airport had a surplus of approximately \$45,000; this was due to higher than anticipated revenues from activity. Typically, we put excess airport funds to reserve to help with ongoing capital costs, such as paying down the costs of the runway repaving.

8. Public Works - \$70,581 surplus – Recommend deposit \$35,000 to reserves

- Public Works operational budgets were by and large on track for 2021, with some areas being over and some under, as well as some major exceptions, as resources are allocated on a best estimate in the budget but actual conditions and work may vary.
 - For example, MEEP funding which was received in late 2020 was spent this year on a record amount of road resurfacing – overall, an additional \$1.5 million of work was performed, however this was covered by the MEEP grant and thus is not an overage.
 - Drainage & storm sewer spending was under budget by nearly \$220,000, as staff time was largely spent on work surrounding the additional streets that were paved, including curbs and other items.
 - Snow removal and ice control were collectively over budget by nearly \$360,000. This is the direct result of record snowfall events in the later part of the year, which were far beyond our five-year average. We use 5-year average actual costs when budgeting, as there is no way to know how many major snowfall events will occur in any given year.
- While snow removal was significantly over budget, offsetting savings as well as the significant grant funding we encountered through the MEEP program offset this to result in an overall surplus in the department. Given that the 2022 snow removal budget is already strained, we are recommending half of the surplus overall go to snow removal reserves to be used to offset costs in 2022.

9. Environmental Services - \$0 – self-sufficient operations

- **Landfill** – Revenues exceeded budget by over \$550,000 – this is in large part due to the revenue from major building demolitions, namely the Ramada Hotel. Overall costs were up due to this volume, but it resulted in a net \$1,095,201 of profit going to reserves, which is \$489,000 over budget. It is crucial that these amounts go to the

landfill reserve, as future costs of new landfill cells will increase, with the last one costing nearly \$6 million, as well as reserves for future cleanup of landfill sites as legislated.

- **Garbage Collection/Recycling** – Garbage collection was within \$3,000 of budget, with no significant variances – this is operated as a cost recovery operation. Recycling had increased grant revenue, which resulted in nearly \$40,000 of additional net funds going to reserve for a total of \$233,000. This amount is also required to offset equipment spending in the past, as well as to begin saving for future upgrades to processing equipment.
- **Water & Sewer**
 - Total revenues were higher than budget by \$710,000, despite the budget being increased by 7% from prior year. Water use was higher with total usage charges being \$286,000 more than estimated. Further, there was over \$200,000 of revenue collected during a water main replacement, when contaminated soil was discovered during the project and the polluter was charged to offset the increased costs of this.
 - Water main breaks continues to be an area of significant additional costs compared to budget. The budget has been increased by nearly 30% since 2020, and costs were still \$250,000 over budget. This is an item we will continue to provide information on with our yearly infrastructure updates.
 - Water main replacements were also well over budget this year, however had funding from the MEEP program as well as user fees.
 - The net effect was that water and sewer was able to put an additional \$300,000 to reserves from its “profit” at year-end compared to budget, for a total of \$2.5 million, which goes towards capital projects such as the upcoming waste water treatment plant and water tower upgrades.

As in previous years, we are recommending to transfer 50% of any departmental surpluses to reserves depending upon which departments had net savings. Typically we would recommend that any departments that had deficits would do the reverse – pull 50% of the deficit from reserves. This strategy aids in encouraging accountability for all departments, hoping to avoid the “use it or lose it” philosophy by incentivizing positive outcomes to budget and allowing departments to utilize savings towards projects in the future.

Our recommendations for these transfers are included in the department comments above. Of crucial note is that the City had originally budgeted to use up to \$360,000 of the COVID Safe Restart funding which was provided from the Federal / Provincial governments towards the 2021 year; we have applied only \$100,000, as some of the budgets were “worst case” with facility closures and other pandemic items. As we do not fully cost recover on many of our recreation facilities as these are provided as a public service, the actual costs of having these facilities closed resulted in savings that offset the lost revenue. As we will not need to utilize the fully budgeted COVID Safe Restart funding, this allows some cushion for unforeseen pandemic

related costs in the future, such as continued underutilization of some of our recreation facilities while they are open.

For estimation purposes, as of the date of this report and based on the above recommended amounts, we are forecasting the following transfers:

| | |
|--|------------------|
| Estimated Net Departmental Surplus | \$315,896 |
| <u>Deposit to reserves:</u> | |
| Fire | (30,000) |
| Community Development; Parks & Rec | (72,000) |
| Engineering & Asset Management | (75,000) |
| Planning & Building Services / Airport | (55,000) |
| Snow Removal | (35,000) |
| <u>Withdraw from reserves:</u> | |
| Transit | 100,000 |
| Net to "Rainy Day" reserves | \$148,896 |

FINANCIAL IMPLICATIONS

This surplus would add to the existing "Rainy Day" surplus of \$783,406 for a total of \$932,302 in the reserve at December 31, 2021.

Of this amount, note that \$270,000 is committed to the Brick Mill project, and a further \$131,000 for school zone speed signs has been committed, leaving approximately \$531,302 in the Rainy Day fund.

OPTIONS & RECOMMENDATION

1. That Council authorize Administration to make the 2021 year-end transfers to reserves in conjunction with net departmental results depicted as follows:

| | |
|--|------------------|
| Estimated Net Departmental Surplus | \$315,896 |
| <u>Deposit to reserves:</u> | |
| Fire | (30,000) |
| Community Development; Parks & Rec | (72,000) |
| Engineering & Asset Management | (75,000) |
| Planning & Building Services / Airport | (55,000) |
| Snow Removal | (35,000) |
| <u>Withdraw from reserves:</u> | |
| Transit | 100,000 |
| Net to "Rainy Day" reserves | \$148,896 |

And further that Administration bring a final report back to Council noting the transfers and the remaining surplus for Council's consideration in conjunction with the year-end audit results.

2. Other direction as Council deems appropriate.

Recommendation

That Council authorize Administration to make the 2021 year-end transfers to reserves in conjunction with net departmental results depicted as follows:

| | |
|--|------------------|
| Estimated Net Departmental Surplus | \$315,896 |
| <u>Deposit to reserves:</u> | |
| Fire | (30,000) |
| Community Development; Parks & Rec | (72,000) |
| Engineering & Asset Management | (75,000) |
| Planning & Building Services / Airport | (55,000) |
| Snow Removal | (35,000) |
| <u>Withdraw from reserves:</u> | |
| Transit | 100,000 |
| Net to "Rainy Day" reserves | \$148,896 |

And further that Administration bring a final report back to Council noting the transfers and the remaining surplus for Council's consideration in conjunction with the year-end audit results.

December 31, 2021 Exceptions to Budget

Attachment #1

| | Actual 2021 | Budget 2021 | Difference |
|--------------------------------|-------------|-------------|-------------------|
| Revenue | | | surplus (deficit) |
| Taxes including GIL properties | 25,340,812 | 25,278,016 | 62,796 |
| YBID Levy & Grant | (113,896) | (113,000) | (896) |
| Crown Surcharges - Incentives | 3,126,034 | 3,130,000 | (3,966) |
| Interest and Penalties | 292,211 | 335,075 | (42,864) |
| Municipal Operating Grant | 3,266,773 | 3,241,590 | 25,183 |
| Other | - | - | - |
| Total Tax & Grant Revenue | 31,911,935 | 31,871,681 | 40,254 |

| | Actual 2021 | Budget 2021 | Difference |
|---------------------------|-------------|-------------|-------------------|
| Department General | | | surplus (deficit) |
| Legislative/Council | 684,965 | 787,661 | 102,696 |
| Corporate Services | 3,065,173 | 3,065,290 | 117 |
| Bylaw | 290,269 | 216,082 | (74,187) |
| Subtotal | 4,040,407 | 4,069,033 | 28,626 |

| | | | |
|----------------------------|-----------|-----------|--------|
| Protective Services | | | |
| Fire | 2,652,453 | 2,711,173 | 58,720 |
| RCMP | 4,553,048 | 4,553,561 | 513 |
| Subtotal | 7,205,501 | 7,264,734 | 59,233 |

| | | | |
|--|-----------|-----------|-----------|
| Community Development, Parks & Recreation | | | |
| Cemetery | 48,000 | 54,636 | 6,636 |
| Deer Park | 164,050 | 258,695 | 94,645 |
| Library | 599,264 | 584,075 | (15,189) |
| Recreation Admin & Programs | 489,442 | 473,234 | (16,208) |
| Recreation Facilities | 388,126 | 442,372 | 54,246 |
| Recreation Outdoor & Parks | 1,613,838 | 1,595,152 | (18,686) |
| Transit | 487,105 | 344,000 | (143,105) |
| Subtotal | 3,789,826 | 3,752,164 | (37,662) |

| | | | |
|------------------|-----------|-----------|-----------|
| WaterPark | 685,828 | 725,720 | 39,892 |
| Gallagher Centre | 1,300,933 | 1,153,262 | (147,671) |
| Subtotal | 1,986,761 | 1,878,982 | (107,779) |

| | | | |
|---------------------------|-----------|-----------|---------|
| Engineering | | | |
| Engineering & Asset Mgt | 711,239 | 762,192 | 50,953 |
| Facilities | 147,384 | 198,229 | 50,845 |
| Traffic & Street Lighting | 589,196 | 636,335 | 47,139 |
| Subtotal | 1,447,819 | 1,596,756 | 148,937 |

| | | | |
|---|---------|---------|---------|
| Planning, Building & Development | | | |
| Planning & Building Services | 250,621 | 322,291 | 71,670 |
| Economic Development | 367,980 | 361,659 | (6,321) |
| Airport | 116,873 | 162,131 | 45,258 |
| Subtotal | 735,474 | 846,081 | 110,607 |

| | | | |
|----------------------------|-----------|-----------|--------|
| Public Works | | | |
| PW - snow removal/drainage | 4,303,365 | 4,373,946 | 70,581 |
| Subtotal | 4,303,365 | 4,373,946 | 70,581 |

| | | | |
|-------------------------------|---|---|---|
| Environmental Services | | | |
| Landfill/Garbage | - | - | - |
| Refuse Collecion | - | - | - |
| Water | - | - | - |
| Subtotal | - | - | - |

| | | | | |
|------------------------------|-------------------|-------------------|----------------|---------------------------------|
| TOTAL ALL DEPARTMENTS | 23,509,153 | 23,781,696 | 272,543 | NET DEPARTMENTAL SURPLUS (LOSS) |
|------------------------------|-------------------|-------------------|----------------|---------------------------------|

| | | | | |
|-------------------------|-----------|-----------|---------|-------------------|
| NET BEFORE DEBT/CAPITAL | 8,402,782 | 8,089,985 | 312,797 | SURPLUS (DEFICIT) |
|-------------------------|-----------|-----------|---------|-------------------|

| | | | |
|-----------------------|-----------|-----------|--------|
| Debt | | | |
| Gallagher Centre Debt | 1,151,254 | 1,151,254 | - |
| Fire Hall Debt | 638,465 | 648,789 | 10,324 |
| Dracup Debt | 695,636 | 696,198 | 562 |

| | | | |
|-------------------------------|------------------|------------------|------------------|
| Capital & Reserves | | | |
| All Other Capital & Reserves | 4,390,000 | 4,390,000 | - |
| City Operations Center | 1,476,523 | 1,476,523 | - |
| To Reserves | 705,000 | 705,000 | - |
| Grants - New Deal | (1,991,395) | (980,879) | 1,010,516 |
| TOTAL DEBT/CAPITAL | 7,065,484 | 8,086,885 | 1,021,401 |

| | | | |
|-----------------------|------------------|--------------|------------------|
| NET SURPLUS/(DEFICIT) | 1,337,297 | 3,100 | 1,334,197 |
|-----------------------|------------------|--------------|------------------|

| | |
|--|--|
| TITLE: Recommendations from the Committee of the Whole Council Meeting May 2, 2022 –2022 Quarter 1 Updates. | DATE OF MEETING: May 9, 2022 |
| | REPORT DATE: May 3, 2022 |
| CLEARANCES: | ATTACHMENTS: <ol style="list-style-type: none"> 1. Updated Council Priorities Chart as of May 2, 2022 2. Council Memo and Chart from May 2, 2022 CoW Meeting |
| Written by: Jessica Matsalla, City Clerk <div style="text-align: right;">Jessica Matsalla</div> | |
| Approved by: Lonnie Kaal, City Manager <div style="text-align: right;">Lonnie Kaal</div> | |

PURPOSE/BACKGROUND

On May 2, 2022 the Committee of the Whole Council met to review the Council Priorities Chart after completion of the first Quarter of 2022. The last update provided for Council Priorities was at the January 10, 2022 Committee of the Whole Council Meeting, which covered 2021 Q4 Updates.

The purpose of this report is to provide Council with the recommendations from the Committee of the Whole Council Meeting of May 2, 2022 to consider for approval. The minutes of the May 2, 2022 Committee of the Whole Meeting are subject for approval at the May 9, 2022 Council Meeting.

DISCUSSION/ANALYSIS/IMPACT

The Committee of the Whole Council Meeting concentrated on the importance of planning and therefore the ‘Communication: Community, Public Awareness & Engagement: Define Terms and Desired Outcomes’ was brought to focus, and chosen to be included in the top five (5) “Current” priorities of Council for the second Quarter of 2022.

Council also identified the “Five Year Capital Plan” item as potential alternative for promotion to the top priorities. Discussion on this topic evolved into a sixth item being added under the ‘Current Priorities’ section of the chart, which requests Administration to provide information/report to Council regarding cost saving strategies (from past budgets & possible future considerations). The sixth item has been added to the chart, and upon adoption will be in effect.

FINANCIAL IMPLICATIONS

Future costs and budget requirements for this item will be identified during its development.

COMMUNICATION PLAN/PUBLIC NOTICE

Upon Council’s approval, the updated Council Priorities Chart will be posted on the city website.

STRATEGIC PLAN/OCP/COMMITTEE RECOMMENDATIONS

The ‘Communication: Community, Public Awareness & Engagement: Define Terms and Desired Outcomes’ item supports objectives listed in our Strategic Plan 2020, under the goals of Governance & Communication (G&C), and Technology (Tech) as follows:

1. Governance & Communication
 - a. Provide targeted communication initiatives that inform residents of the community's vision, goals, strategies, plans and progress (e.g. annual business plan progress report, financial information, etc.) and/or to help them understand our decisions and services (e.g. community guides, etc.)
 - b. Pursue open, timely and pertinent public communication of Council decisions, direction, community programs and municipal services.
 - c. Provide priorities information to residents and others in a variety of means to inform, engage and encourage residents to participate in good governance, policy development and to adopt actions that support sustainable community lifestyle choices.
 - d. Provide meaningful opportunities for citizens to volunteer in our community that provide: opportunities for input and feedback, to gain work and life experience, as well as for Commission, Committee recruitment & retention and to promote social responsibility.
2. Technology
 - a. Invest in and implement technological change necessary to permit the public to conduct business with the city using the internet and other electronic media.
 - b. Improve and maintain the City website with current and historical information
 - c. Deliver a community information and referral service that is fully automated
 - d. Conduct a review of social media tools to determine how such tools can be used to provide additional opportunities for citizen interaction and identify opportunities utilize social media sites to boost engagement.

OPTIONS

1. That Council accept recommendation C00010-2022, as contained in the Committee of the Whole Council meeting minutes of May 2, 2022; and further that Council adopt the Council priorities chart as presented and authorize the publication of the document on the City's website.
2. That Council accept recommendation C00010-2022, as contained in the Committee of the Whole Council meeting minutes of May 2, 2022, with amendments; and further that Council adopt the priorities chart as amended, and authorize the publication of the chart on the City's website.
3. That Council provide alternate direction.

COMMITTEE OF THE WHOLE RECOMMENDATION:

1. That Council accept recommendation C00010-2022, as contained in the Committee of the Whole Council meeting minutes of May 2, 2022 to:

“Transfer the following item to the “Current” Council/CAO Priorities Section of the Council Priorities Chart:

- 1. Communication: Community, Public Awareness & Engagement: Define Terms & Desired Outcomes” ;**

and further that Council adopt the Council Priorities Chart as presented and authorize the publication of the document on the City's website.

COUNCIL PRIORITIES CHART

May 2nd, 2022

| COUNCIL (Green is Now) | CORPORATE PRIORITIES (Council/CAO) (Council Priorities are CAPITALIZED) |
|---|---|
| Current Priorities <ol style="list-style-type: none"> 1. CONSULTANT REVIEW OF I.T. SERVICES 2. BUSINESS MARKETING: Yorkton Advantage Gaps & Targets 3. REC MASTER PLAN – Indoor & Outdoor Facilities Priority Plan 4. LIBRARY – PROCEED WITH NEXT STEPS INCL SMB 5. COMMUNICATION: Community, Public Awareness & Engagement: Define Terms & Desired Outcomes 6. Info: Report on Cost Savings (past budgets) & possible future considerations | Next Priorities <ul style="list-style-type: none"> • LONG TERM (5 year) CAPITAL PLAN: Draft • PARTNERSHIP WITH YBID ON DOWNTOWN PARKING • DOWNTOWN PLAN: Review • YORK LANDING SUBDIVISION - review • MARKETING - development of Roundhouse Subdivision • TRUTH AND RECONCILIATION – Phase II • FACILITIES MAINTENANCE PLAN/REVIEW • LIGHT UP THE TOWER • COMMUNITY ‘VIBE’: Strategy |
| ADVOCACY / PARTNERSHIPS (Council to initiate these discussions in 2022 with appropriate politicians and organizations) <ul style="list-style-type: none"> • Division ‘F’ Liaison • Rural Municipality: Joint Priorities • York Road Funding (R2R) • Grain Miller Road Funding (UCF) • Hospital Contribution Formula • Tax Assessment Formula (SUMA) | |
| STAFF | OPERATIONAL STRATEGIES (CAO/Staff) (Staff Priorities are not Capitalized) |
| CHIEF ADMINISTRATIVE OFFICER <ol style="list-style-type: none"> 1. TAX ASSESSMENT – Advocacy – City Mayors Caucus 2. LIBRARY – PROCEED WITH NEXT STEPS INCL SMB 3. BUSINESS MARKETING: Yorkton Advantage Gaps & Targets 4. REC MASTER PLAN – Indoor and Outdoor Facilities Priority Plan 5. UPDATE COUNCIL on MINISTRY’S RCMP building plans 6. COMMUNITY: COMMUNICATION/PUBLIC AWARENESS & ENGAGEMENT: Define terms & desired outcomes <ul style="list-style-type: none"> • FACILITIES MAINTENANCE plan/review | COMMUNITY SERVICES <ol style="list-style-type: none"> 1. REC MASTER PLAN – Indoor and Outdoor Facilities Priority Plan 2. Develop strategies to reduce net operating costs at the GC 3. Review CDPR User Fees <ul style="list-style-type: none"> • Community Event Support – Review Process • Facility Utilization Strategy – Terms of Reference |
| CORPORATE <ol style="list-style-type: none"> 1. CONSULTANT REPORT – I.T. EXTERNAL REVIEW 2. REPORT ON COST SAVINGS (past budgets) & Possible future considerations. 3. Council Committee: Review – Phase I (Assessment) <ul style="list-style-type: none"> • FIVE YEAR CAPITAL PLAN • PARTNERSHIP WITH YBID ON DOWNTOWN PARKING • IAFF Negotiations • Succession Planning for all departments • Provide City Wide Training on LAFOIP process | PLANNING <ol style="list-style-type: none"> 1. BUSINESS MARKETING: Yorkton Advantage, Gaps & Targets 2. COMMUNITY: COMMUNICATION/PUBLIC AWARENESS & ENGAGEMENT: Define terms & desired outcomes 3. Streamline business licensing process <ul style="list-style-type: none"> • YORK LANDING SUBDIVISION - review • DOWNTOWN PLAN: Review (use consultant) • MARKETING – DEVELOPMENT OF ROUNDHOUSE SUBDIVISION • Development Fees Review • Consider SOTI fines for non-compliant businesses |
| ENVIRONMENT <ol style="list-style-type: none"> 1. Draft “Green Policy” 2. LIGHT UP THE TOWER – meet user groups/info to Enviro Committee 3. Well Building construction and underground piping <ul style="list-style-type: none"> • Compost Program Assessment • Wastewater Renewal Project – Consultation, Development of business case, conceptual design | ENGINEERING <ol style="list-style-type: none"> 1. Drainage Program: Update 2. Determine a realistic 5 year plan for drainage 3. York Road Options <ul style="list-style-type: none"> • Cross train staff and improve service delivery and coverage • Facility Asset Management |
| PROTECTIVE SERVICES <ol style="list-style-type: none"> 1. Regionalized Fire: Approach 2. Fee for Service: Scope 3. EMS Support: Position (Province) <ul style="list-style-type: none"> • Mass Alert: Launch • Fire Underwriter Certification | PUBLIC WORKS <ol style="list-style-type: none"> 1. Inventory Management System Implementation – July 2022 2. Determine a realistic 5 year plan for water, sewer, storm and roads 3. Underground Inspection Update – August 2022 <ul style="list-style-type: none"> • Re-direct focus on operational programs for 2022 • Infrastructure Renewal Programs Review |

MEMORANDUM

TO: Yorkton City Council

FROM: Lonnie Kaal, City Manager

DATE: April 14th, 2022

TOPIC: Council Priorities Chart – Dashboard update

Re: What to expect process-wise – May 2nd, 2022 Committee of the Whole - Update Meeting

As a follow up to our strategic planning session from November 20 & 21, 2020 we committed to reviewing our Council priority chart on a quarterly basis. This allows Administration the opportunity to provide Council with an update on progress from the strategic objectives assigned. More importantly, **it gives Council the opportunity to provide further direction to administration on the objectives that are deemed a priority.**

The framework has been set up to make progress in each quarter such that priorities and objectives can be accomplished. As such, a limit was established to the number of NOW priorities for each grouping.

- a) Council priorities should be limited to 5
- b) Staffing priorities should be limited to 3

In other words, it is the top five (5) Council priorities that Administration is working on NOW and once these are completed; priorities labelled as NEXT would move into the NOW category

We are now looking towards updating the first quarter in 2022.

- 1) The first attachment includes a list of all priorities that have been put forward for 2022. The first section indicates what has been completed and the second sections shows what is on the list to be done. The left hand column notes Council priorities, and the right hand column notes internal priorities.
- 2) The January 12th Council Priorities Chart shows what was on the list last quarter.
 - a. Council Priorities are noted on the top half of the chart.
 - Capitalized – denotes a Council priority
 - Green – denotes this priority is in the NOW category
 - The top 5 priorities are noted under Council in Green
 - The remaining priorities are noted under NEXT and ADDITIONS TO
 - b. Staff Priorities are noted on the bottom half of the chart
 - Capitalized – denotes a Council priority

- Normal type (text) – denotes an administrative objective/priority
- Green – denotes a Council priority in the NOW category
- The top three (3) priorities are noted under each operational function.

c. The January 12th, 2022 Council Strategic Priorities Chart shows what has been completed (in orange) and could come off the list.

- 3) The April 12th, 2022 Council Priorities Chart shows what has been added since the last quarter and possible additions to the top priorities are noted in green.

The intent of this meeting is for Council to determine what priorities in the NEXT grouping should be moved into the NOW grouping.

Once this is completed, an update to the chart will be provided for adoption at the next Regular Council meeting as part of the Committee of the Whole recommended updates.

ENCLOSURES:

1. 2022 list of all Priorities
2. January 12th, 2022 Council Priorities Chart (Includes updates on completion)
3. April 12th, 2022 Council Priorities Chart (Determine “Now” Green)

COUNCIL PRIORITIES CHART

Jan 2022 to Mar 2022

Completed (First Quarter)

CORPORATE PRIORITIES (Council/CAO)

COMPLETED

1. RESIDENTIAL LOT REVIEW (all lots for sale)
2. MARKETING/INCENTIVE STRATEGY (residential and commercial tax incentives)
3. FLEET – Provide info on replacement of assets (hours, age etc).
4. STAFF SARGENT UPDATE
5. DECISION ON RCMP DETACHMENT BUILDING
6. DETERMINE ICE ARENA PLAN (Kinsmen Replacement, Gallagher Centre Renewal)
7. EVALUTATE the success of Urban Hobby Beekeeping

ADVOCACY / PARTNERSHIPS (Council to initiate these discussions in 2022 with appropriate politicians and organizations)

- Division 'F' Liaison
- Rural Municipality: Joint Priorities
- York Road Funding (R2R)
- Grain Miller Road Funding (UCF)
- Hospital Contribution Formula
- Tax Assessment Formulae (SUMA)

NEXT:

- COMMUNITY "VIBE" Strategy
- BUSINESS MARKETING: Yorkton Advantage & Targets
- COMMUNITY ENGAGEMENT: Methods Review
- DOWNTOWN PLAN: Review (consultant)
- YORK LANDING SUBDIVISION - review
- LONG TERM (5 year) CAPITAL PLAN: Draft
- COMMUNICATION: Community, Public Awareness & Engagement: Define Terms & Desired Outcomes
- CONSULTANT REVIEW OF I.T. SERVICES
- FACILITIES MAINTENANCE PLAN/REVIEW
- MARKETING - development of Roundhouse Subdivision
- PARTNERSHIP WITH YBID ON DOWNTOWN PARKING
- CONTINUE WITH NEXT STEPS TO SEPARATE FROM PARKLAND REGIONAL LIBRARY
- RECREATION MASTER PLAN
- REC INDOOR/OUTDOOR FACILITIES PRIORITY PLAN
- TRUTH AND RECONCILIATION – Phase II
- LIGHT UP THE TOWER

Departmental Priorities (completed)

- Review training requirements for CUPE and Deer Park Staff
- Implement a learning strategy for all OOS staff
- Re-align systems for better temp coverage
- Streamline training across the organization

NEXT:

- Community Event Support – Review Process
- Facility Utilization Strategy – determine terms of reference
- Review Recreation and Community Services Fees
- Regionalized Fire: Approach
- Fee for Service: Fire
- EMS Support
- Mass Alert: Launch
- Fire Underwriter Certification
- Streamline Business Licensing Process
- Offsite Development Fees: Review
- Development Fees Review
- Consider SOTI fines for non-compliant businesses
- Compliance Inventory: review
- York Road Options
- Drainage Program: Update
- Determine 5 year plan for drainage and storm
- Determine 5 year plan for water, sewer & roads
- Facility Asset Management
- Inventory Management System: Implement
- Infrastructure Replacement Plans
- Underground Inspection Update
- Focus on operation programs
- Cross Train Staff and improve service delivery and coverage
- Council Committee Review
- IAFF negotiations
- Succession planning for all departments
- Provide City wide Training on LAFOIP process
- Well Construction underground piping
- Compost Program Assessment
- Apply for Green Municipal Funds Grant
- Consultation on the re-use of wastewater effluent
- Complete conceptual and detailed design of WWTP 2023

COUNCIL PRIORITIES CHART

January 12th, 2022 (Completed)

| COUNCIL | (Green is Now) | CORPORATE PRIORITIES (Council/CAO) | (Council Priorities are CAPITALIZED) |
|--|------------------------------------|---|--------------------------------------|
| <p>Current Priorities</p> <ol style="list-style-type: none"> 1. CONSULTANT REVIEW OF I.T. SERVICES 2. BUSINESS MARKETING: Yorkton Advantage Gaps & Targets 3. REC MASTER PLAN – Indoor & Outdoor Facilities Priority Plan 4. UPDATE ON RCMP DETACHMENT BUILDING 5. LIBRARY – PROCEED WITH NEXT STEPS INCL SMB 6. FLEET – Provide info on replacement of assets (hours age etc) <p>Next Priorities</p> <ul style="list-style-type: none"> • LONG TERM (5 year) CAPITAL PLAN: Draft • COMMUNICATION: Community, Public Awareness & Engagement: Define Terms & Desired Outcomes • DOWNTOWN PLAN: Review • RESIDENTIAL LOT: Sale Price (Configuration of subdivision) • COMMUNITY 'VIBE': Strategy • MARKETING - development of Roundhouse Subdivision | | <p>ADVOCACY / PARTNERSHIPS</p> <ul style="list-style-type: none"> • Staff Sargent Update • Division 'F' Liaison • Rural Municipality: Joint Priorities • York Road Funding (R2R) • Grain Miller Road Funding (UCF) • Hospital Contribution Formula • Tax Assessment Formula (SUMA) <ul style="list-style-type: none"> • DETERMINE ICE ARENA PLAN (Kinsmen Replacement/Gallagher Centre Renewal) • EVALUATE the success of Urban Hobby Beekeeping • TRUTH AND RECONCILIATION – Phase II • PARTNERSHIP WITH YBID ON DOWNTOWN PARKING • FACILITIES MAINTENANCE PLAN/REVIEW • LIGHT UP THE TOWER | |
| STAFF | OPERATIONAL STRATEGIES (CAO/Staff) | (Staff Priorities are not Capitalized) | |
| <p>CHIEF ADMINISTRATIVE OFFICER</p> <ol style="list-style-type: none"> 1. TAX ASSESSMENT – Advocacy – City Mayors Caucus 2. LIBRARY – PROCEED WITH NEXT STEPS INCL SMB 3. UPDATE ON OPTIONS FOR RCMP DETACHMENT BUILDING 4. BUSINESS MARKETING: Yorkton Advantage Gaps & Targets 5. REC MASTER PLAN – Indoor and Outdoor Facilities Priority Plan <ul style="list-style-type: none"> • COMMUNITY: COMMUNICATION/PUBLIC AWARENESS & ENGAGEMENT: Define terms & desired outcomes • FACILITIES MAINTENANCE plan/review | | <p>COMMUNITY SERVICES</p> <ol style="list-style-type: none"> 1. REC MASTER PLAN – Indoor and Outdoor Facilities Priority Plan (consultant RFP closes April 26th) 2. Review training requirements for CUPE and Deer Park Staff 3. Develop strategies to reduce net operating costs at the GC <ul style="list-style-type: none"> • DETERMINE ICE ARENA PLAN (Kinsmen Replacement/GC Renewal) • Review CDPR User Fees – Presentation to Council May/June • Community Event Support – Review Process • Facility Utilization Strategy – Terms of Reference | |
| <p>CORPORATE</p> <ol style="list-style-type: none"> 1. CONSULTANT REPORT – I.T. EXTERNAL REVIEW 2. Council Committee: Review – April –Phase I (Assessment) 3. FIVE YEAR CAPITAL PLAN <ul style="list-style-type: none"> • EVALUATE - Urban Hobby Beekeeping • PARTNERSHIP WITH YBID ON DOWNTOWN PARKING • IAFF Negotiations • Succession Planning for all departments • Implement a learning strategy for all OOS staff • Provide City Wide Training on LAFOIP process | | <p>PLANNING</p> <ol style="list-style-type: none"> 1. BUSINESS MARKETING: Yorkton Advantage, Gaps & Targets 2. COMMUNITY: COMMUNICATION/PUBLIC AWARENESS & ENGAGEMENT: Define terms & desired outcomes 3. Streamline business licensing process <ul style="list-style-type: none"> • RESIDENTIAL LOT REVIEW (completed, next is Subdivision review) • YORK LANDING SUBDIVISION - review • DOWNTOWN PLAN: Review (use consultant) • MARKETING – DEVELOPMENT OF ROUNDHOUSE SUBDIVISION • Development Fees Review • Consider SOTI fines for non-compliant businesses | |
| <p>ENVIRONMENT</p> <ol style="list-style-type: none"> 1. Draft "Green Policy" 2. LIGHT UP THE TOWER – meet user groups/info to Enviro Committee 3. Well Building construction and underground piping <ul style="list-style-type: none"> • Compost Program Assessment • Wastewater Renewal Project – Consultation, Development of business case, conceptual design | | <p>ENGINEERING</p> <ol style="list-style-type: none"> 1. FLEET – Provide info on replacement of assets (hrs, age etc) 2. Drainage Program: Update – Apr/2022 3. York Road Options <ul style="list-style-type: none"> • Facility Asset Management • Cross train staff and improve service delivery and coverage | |
| <p>PROTECTIVE SERVICES</p> <ol style="list-style-type: none"> 1. Regionalized Fire: Approach 2. Fee for Service: Scope 3. EMS Support: Position (Province) <ul style="list-style-type: none"> • Mass Alert: Launch • Fire Underwriter Certification • Streamline training • Re-align systems for better temp coverage | | <p>PUBLIC WORKS</p> <ol style="list-style-type: none"> 1. Inventory Management System Implementation – March 2022 2. Infrastructure Renewal Programs Review – June 2022 3. Underground Inspection Update – August 2022 <ul style="list-style-type: none"> • Re-direct focus on operational programs for 2022 | |

COUNCIL PRIORITIES CHART

April 12th, 2022

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| <p>CHIEF ADMINISTRATIVE OFFICER</p> <ol style="list-style-type: none"> 1. TAX ASSESSMENT – Advocacy – City Mayors Caucus 2. LIBRARY – PROCEED WITH NEXT STEPS INCL SMB 3. BUSINESS MARKETING: Yorkton Advantage Gaps & Targets 4. REC MASTER PLAN – Indoor and Outdoor Facilities Priority Plan 5. UPDATE COUNCIL on MINISTRY'S RCMP building plans <ul style="list-style-type: none"> • COMMUNITY: COMMUNICATION/PUBLIC AWARENESS & ENGAGEMENT: Define terms & desired outcomes • FACILITIES MAINTENANCE plan/review | | <p>COMMUNITY SERVICES</p> <ol style="list-style-type: none"> 1. REC MASTER PLAN – Indoor and Outdoor Facilities Priority Plan 2. Develop strategies to reduce net operating costs at the GC 3. Review CDPR User Fees <ul style="list-style-type: none"> • Community Event Support – Review Process • Facility Utilization Strategy – Terms of Reference | |
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| <p>ENVIRONMENT</p> <ol style="list-style-type: none"> 1. Draft "Green Policy" 2. LIGHT UP THE TOWER – meet user groups/info to Enviro Committee 3. Well Building construction and underground piping <ul style="list-style-type: none"> • Compost Program Assessment • Wastewater Renewal Project – Consultation, Development of business case, conceptual design | | <p>ENGINEERING</p> <ol style="list-style-type: none"> 1. Drainage Program: Update 2. Determine a realistic 5 year plan for drainage 3. York Road Options <ul style="list-style-type: none"> • Cross train staff and improve service delivery and coverage • Facility Asset Management | |
| <p>PROTECTIVE SERVICES</p> <ol style="list-style-type: none"> 1. Regionalized Fire: Approach 2. Fee for Service: Scope 3. EMS Support: Position (Province) <ul style="list-style-type: none"> • Mass Alert: Launch • Fire Underwriter Certification | | <p>PUBLIC WORKS</p> <ol style="list-style-type: none"> 1. Inventory Management System Implementation – July 2022 2. Determine a realistic 5 year plan for water, sewer, storm and roads 3. Underground Inspection Update – August 2022 <ul style="list-style-type: none"> • Re-direct focus on operational programs for 2022 • Infrastructure Renewal Programs Review | |